		Number	Policy or Regulation
0.	Concept and Roles in Student Policies	5000	P
1.	Elementary and Secondary		
A.	Attendance		
(1)	Admission/Placement	5111	P/R
(2)	Foreign Exchange Students	5111.1	P
(3)	Student Attendance, Truancy, Chronic Absenteeism	5113	P/R
(4)	Attendance Records	5115	P
(5)	Nonresident Attendance	5118	P
(6)	Homeless Students	5118.1	P/R
(1)	Student Use of the District's Computer Systems and Internet Safety	5119	P/R
B.	Progress/Records		
(1)	Promotion/Acceleration/Retention	5123	P/R
(2)	Reporting to Parents	5124	P/R
(3)	Student Privacy		P
(4)	Confidentiality & Access to Education Records (FERPA)	5125	P/R
(5)	Awards for Achievement	5126	P
(6)	High School Graduation Requirements		P
(7)	CT Summative Assessments		P
C.	Activities		
(1)	Conduct	5131	P
(a)	Bus Conduct	5131.1	P
(b)	Surveillance on School Property	5131.11	P/R
(c)	Student Driving and Parking		P
(d)	Vandalism by Minors	5131.5	P
(e)	Drugs and Alcohol/Tobacco	5131.6	P
(f)	Use of Private Technology by Students		P/R
(g)	Gang Activity or Association	5131.9	P
(h)	Bullying	5131.911	P/R
(i)	Civility/Respectful Communication & Actions.	5131.92	P
(2)	Attire and Hygiene		P/R
(3)	Participation Fees for School Activities	5139	P/R
D.	Student Welfare	5140	P
(1)	Health	5141	P
(a)	Administration of Student Medications	5141.21	P
(b)	Sunscreen Application in School	5141.214	P/R
(c)	Communicable/Infectious Diseases	5141.22	P
(d)	Psychotropic Drug Use	5141.231	P
(e)	Students with Food Allergies and/or Glycogen Storage Disease Management Plan and Guidelines		P

		Number	Policy or Regulation
(f)	Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease	5141.26	R
(g)	Health Assessments, Screenings, and Immunizations	5141.3	P/R
(h)	Reporting of Child Abuse, Neglect, and Sexual Assault	5141.4	P/R
(i)	Suicide Prevention/Intervention _____		P/R
(2)	Safety	5142	P
(a)	Relations with Noncustodial Parents	5142.1	P
(3)	Student Insurance	5143.1	P
(4)	Student Discipline	5144	P
(5)	Physical Restraint & Seclusion of Students And Use of Exclusionary Time Out	5144.1	P/R
(6)	Child Sexual Abuse and Assault Policy/Reporting _____		P
(7)	Physical Exercise and Discipline of Students	5144.4	P
E.	Civil and Legal Rights and Responsibilities		
(a)	Section 504 of the Rehabilitation Act of 1973 & Title ll of the ADA Act of 1990	5145	P/R
(b)	Invasion of Privacy		
	(i) Questioning and Apprehension	5145.11	P
	(ii) Search and Seizure	5145.12	P/R
	a. Use of Alcohol Detection Devices	5145.124	P/R
	(iii) On-Campus Recruitment	5145.14	P
	(iv) Directory Information	5145.15	P
(c)	Non-discrimination/Discrimination Complaints	5145.4	P/R
(d)	Title IX of the Education Amendments of 1972- Prohibition of Sex Discrimination and Sexual Harrassment (Students)	5145.5	P
(e)	Student Grievance Procedures	5145.6	P
(f)	Conducting Research in Schools	5156	P

5000P

STUDENTS

CONCEPT AND ROLES IN STUDENT POLICIES

The focus of the school system is on the learner, the student. The student's educational development toward the school's goals is the central concern of the Board of Education's policies and the administrator's regulations.

Each child shall be given equal opportunity. But since children vary widely in capacities, interests, social and economic background, no two can be treated exactly alike if the fullest development of each is to be achieved.

The Board of Education will attempt to erase limitations of facilities and means that stand in the way of our school's availability to all who wish to learn in this school system.

Discrimination among students applying for admission to or attending our schools with respect to race, color, religious creed, age, marital status, national origin, sex, sexual orientation or physical disability is prohibited.

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools
10-15c Discrimination in public schools prohibited. School attendance by five-year olds.
10-184 Duties of parents (re mandatory schooling of children seven and older and under sixteen)
10-186 Duties of towns and regional school districts. Hearings. Appeal to state board. Establishment of hearing board.
10-226a Pupils of racial minorities
Sec 504 Section 504, U.S. Rehabilitation Act of 1973,29 U.S.C. @ 794

POLICY ADOPTED: March 12, 2002
REVISED: June 9, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5111P

STUDENTS

ADMISSION/PLACEMENT

Admission

District schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year. Each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the program and activities of the school system without discrimination on account of race, color, sex, religion, national origin or sexual orientation. The Board will not act upon applications of individual students who are seeking admission and do not meet the minimum age requirements as defined by state law. Students who are classified as homeless under federal law and therefore do not have a fixed residence will be admitted pursuant to federal law and policy 5118.1P Homeless Students.

The parent of person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age.

The parent of person shall exercise such option by personally appearing at the school district office and signing an option form. The district shall provide the parent or person with information on the educational opportunities available in the school system. According to Connecticut General Statute 10-76d(b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education. If a special education student is being considered for an exception, the Planning and Placement Team (PPT) will make a recommendation to the administrator in charge of special education.

Each child entering the district schools for the first time must present an original birth certificate or offer legal evidence of birth data, as well as proof of a recent physical examination and required immunizations. School personnel may also request legal custodial documentation. If the parents or guardians of any children are unable to pay for such immunizations, the expense of such immunizations shall on the recommendation of the Boards, be paid by the town. Proof of domicile may also be requested by the Building Principal.

Other documents that may be accepted as proof of a student's age include, but are not limited to:

1. Photocopy of a birth certificate
2. Earlier school records
3. State-issued identification document
4. Driver's license, passport, etc.
5. Parent's affidavit or unsworn statement as to a student's age
6. Physician's certificate verifying a student's age
7. Immunization records

Any child entering or returning to the district from placement in a juvenile detention school, the Connecticut Juvenile Training School, or any other residential placement, shall have the education records of such child provided to the Superintendent of Schools by the Department of Children and Families (DCF) and the Judicial Department. Such information will be shared with the Principal of the school to which the student is assigned. The Principal can disclose them to the staff who teach or care for the child.

The District will immediately enroll any student who transfers from Unified District No. 1 or Unified District No. 2. A student transferring from the Unified School Districts who had previously attended school in the local school district shall be enrolled in the school such student previously attended, provided such school has the appropriate grade level for the student.

The parent or person having control of a child sixteen or seventeen years of age may consent to a child's withdrawal from school. The parent or person shall personally appear at the school district office and sign a withdrawal form. The withdrawal form (Regulation 5111(dd)) shall include an attestation from a guidance counselor or school administrator of the school that the school district has provided the parent or person with information on the education options available in the school system and in the community.

If a child seventeen years of age or older voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school accommodations to the child for up to ninety school days from the date of such termination, unless the child seeks readmission to the school district not later than ten school days after the termination in which case the board shall provide school accommodations to the child not later than three schools days after the child seeks readmission.

Children who apply for initial admission to the district's schools by transfer from nonpublic schools or from schools outside the district will be placed at the grade they would have reached elsewhere pending observation and evaluation by classroom teachers, guidance personnel, and the school Principal. After such observations and evaluations have been completed, the Principal will determine the final grade placement of the children.

Children who have attained the age of nineteen or older may be placed in an alternative school program or other suitable educational program if they cannot acquire a sufficient number of credits for graduation by age twenty-one.

(cf. 0521 - Nondiscrimination)
(cf. 5112 - Ages of Attendance)
(cf. 5118.1 Homeless Students)
(cf. 5141 - Student Health Services)
(cf. 6171 - Special Education)
(cf. 6146 - Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools

10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by PA 97-247

10-76a - 10-76g re special education

10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) as amended by PA 98-243, PA 00-157 and PA 09-6) September Special Session) and PA 18-15

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission, as amended.

10-220h Transfer of student records, as amended.

P.A. 11-15 An Act Concerning Juvenile Reentry and Education

Appeals to state board. Establishment of hearing board

10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils

10-233c Suspension of pupils

10-233d Expulsion of pupils

10-233k Notification of school officials of potentially dangerous students.

10-261 Definitions

State Board of Education Regulations

10-76a-1 General definitions (c) (d) (q) (t)

10-76d-7 Admission of student requiring special education (referral)

10-204a Required immunizations

McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.

Plyler vs. Doe, 457 U.S. 202 (1982)

Policy adopted: March 12, 2002
Policy revised: May 12, 2009
Policy revised: December 13, 2011
Policy revised: March 30, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Students

Admission/Placement

Proof of Residency

Prior to enrollment in the Colchester Public Schools, proof of residency will be required. These administrative regulations provide the forms that parents or those responsible for resident children must complete as a proof of residency.

The procedures described in these administrative regulations, including the requirements for the completion of forms, shall be used for all students enrolled in, or seeking to enroll in, the Colchester Public Schools. Notwithstanding the foregoing, if any procedure or form described in these administrative regulations conflicts with the procedures described in Colchester Public Schools Regulations regarding Homeless Children and Youth, the provisions of the Homeless Regulations shall control.

Regulation Adopted: July 10, 2007

COLCHESTER PUBLIC SCHOOLS
Colchester, CT

COLCHESTER PUBLIC SCHOOLS
ENROLLEE VERIFICATION OF RESIDENCE FORM

Parent/Legal Guardian Statement

I, (print name)_____,

reside at (address)_____.

I am the parent/legal guardian of (student):_____ DOB:_____,

who resides with _____at (address) _____.

Phone number:_____.

Parent/Caregiver email:_____.

I certify that the above-named student resides full time (7 days a week) at the permanent address listed above. (If there is shared custody, a legal document reflecting at least 50% residency in Colchester will be required.) I understand that falsification of any information or documents required for this verification may lead to the disenrollment of the above-named student and may lead to liability for tuition and possible prosecution under the criminal statutes of the State of Connecticut.

Parent/Legal Guardian signature:_____ Date:_____

FOR OFFICE USE ONLY

In order to verify district residence, the child (if over 18), parents or caregivers, or an emancipated minor must sign above and provide documents from any of the items listed below:

____ **SECTION ONE:** Proof of identification (photo ID) **Provide ONE.**
- ___a. Driver's license
- ___b. Non-Driver photo ID
- ___c. Valid passport with photo

____ **SECTION TWO:** Residency verification; **Provide TWO** current proofs (within 30 days) at an address within the district in the parent or caregiver's name:
- ___ a. Current utility bill (water, light, gas or cable) cellphone, or home telephone bill
- ___ b. Automobile insurance
- ___ c. Bank or credit card statement
- ___ d. Current paycheck stub with address of residence
- ___ e. Deed to home, current mortgage bill, homeowner's property tax statement
- ___ f. Escrow papers or signed mortgage commitment
- ___ g. Homeowner's or Renter's insurance policy (policy must be current and in effect)
- ___ h. Signed rental agreement

If the student is not living with the parent/guardian in a dwelling that is rented, owned, or occupied, by a resident of Colchester, that resident of Colchester must bring documentation mentioned in Section Two, present photo identification and sign the Host Statement. The parent/guardian must complete the Parent Statement. A Residency Affidavit must be completed by the parent and host together. Please contact the Director of Pupil Services and Special Education for Colchester Public Schools if the student's residence is not permanent.

Documents seen by (signature):_____

Date: _____

Colchester Public Schools
Parent/Guardian's Statement

CONFIDENTIAL

I hereby certify that _____ is my _____
(Student's Name) (Relationship)

and resides with _____ who is _____
(Name of Person) (Relationship)

at _____
(No. and Street) (Telephone #)

I further certify that this is intended to be a bona fide permanent address at which my child will be living for _____ days and _____ nights per week and that I am not providing payment for having my child reside with _____.

I further certify that my child is not living with me because _____

_____

_____

As a parent/guardian of the student named on this form, and as a nonresident of the Town of Colchester, I attest to the accuracy of the information contained in this form. Further, I certify that, as a permanent resident of the Town of Colchester, the student is eligible for free school privileges. I agree to notify school officials immediately regarding the termination of the student's permanent residency in the Town of Colchester, in which event the student will no longer be eligible for free school privileges. Finally, I understand that, should the student be found to be attending Colchester Public Schools illegally, the Town of Colchester reserves the right to recover the costs of such education from me, the undersigned.

I understand that a perjured or fraudulent statement may lead to my prosecution under the criminal statutes of the State of Connecticut.

I also understand that this document may be used in a court of law as evidence against me.

OPTIONAL: I hereby certify that the said _____
(Person's Name)
has full right to act in my child's behalf concerning any and all school disciplinary, administrative, and medical matters.

_____ _____
Parent/Guardian's Signature Date

Witnessed By:

_____ _____
Witness (Notary Public) Date

Colchester Public Schools
Host's Statement

I hereby certify that _____
(Student's Name)
resides with me at _____.
(No. and Street) (Telephone #)

I further certify that this is intended as a bona fide permanent address, that this child will be living with me _____ days and _____ nights per week, and that I am not receiving payment for having this child reside with me.

I certify that this child is residing with me because _____

_____

_____.

As the host of the student named on this form, and as a resident of the Town of Colchester, I attest to the accuracy of the information contained in this form. Further, I certify that the student is eligible for free school privileges. I agree to notify school officials immediately regarding the termination of the student's permanent residency in the Town of Colchester, in which event the student will no longer be eligible for free school privileges. Finally, I understand that, should the student be found to be attending Colchester Public Schools illegally, the Town of Colchester reserves the right to recover the costs of such education from me, the undersigned.

I understand that a perjured or fraudulent statement may lead to my prosecution under the criminal statutes of the State of Connecticut.

I also understand that this document may be used in a court of law as evidence against me.

_____ _____
Host's Signature Date

Witnessed By:

_____ _____
Witness (Notary Public) Date

Colchester Public Schools

Colchester, Connecticut

CERTIFICATION OF RESIDENCE

(For student living in other than a rental unit dwelling)

DATE:_____

RE: _____

As part of our residency process, we are requesting that you as the landlord/owner of or the family residing at the following residence providing this notarized statement verifying that:

Name of Student(s):

_____

Name of Parent(s):

_____

Reside at the following address:_____

I, _____ certify that the named student(s) and parents (local resident/relative/guardian, etc.) (cross out what does not apply)

☐ live/rent or ☐ reside with me at the above-listed address, in a home owned or occupied by me in Colchester.

****

I realize that if I make a false statement as to residency, I may be held liable for a share of the cost for the education of said student(s) if they, in fact, do not reside in Colchester.

I understand that my failure to respond to this request, or that a perjured or fraudulent statement may lead to the disenrollment of the above-named student(s). In addition, the parent(s) may be prosecuted under the criminal statutes of the State of Connecticut. I also understand that this document may be used as evidence in a court of law.

I agree to immediately notify the Colchester Public Schools if the above-described student ceases to reside at this address.

Signed: _____ Date:_____

Signed and sworn to before me this _____day of _____, 20_____

_____

Notary Public

If you have any questions regarding this form, please contact _____, Colchester Pubic Schools, 127 Norwich Avenue, Suite 202, Colchester, CT.

Colchester Public Schools
127 Norwich Avenue, Suite 202
Colchester, CT 06415
860-537-7267

Residency Affidavit
CONFIDENTIAL

The Colchester Public Schools, in compliance with statute 10-253(d) of the State of Connecticut, requires this form to be completed for any student who claims residence in Colchester and is not residing with a parent(s)/guardian(s) and whose parents/guardians are not residing in Colchester. This form is required when there is a question about the child's actual residence. The student, parent/guardian and person with whom the student is living must fill out this form together.

Date _____

1. Student's Name _____ DOB: _____
(Last) (First) (Middle)

2. Student's Colchester Address _____
(No. and Street)

3. Name of Person With Whom Student Lives _____

Relationship _____

Address _____
(No. and Street)
Telephone #_____

4. Date Student Moved to Colchester _____
(Month/Day/Year)

5. Student's Former Address _____
(No. and Street) (Town) (State)

6. Former School _____ Grade _____

7. Name of Student's Parent/Guardian _____

Address _____
(No. and Street) (Town) (State)
Telephone # _____

8. Name of Student's Parent/Guardian_____

Address _____
(No. and Street) (Town) (State)
Telephone # _____

9. Name, Address and Telephone Number of Student's Court Appointed Legal Guardian, if applicable:

_____

_____ _____
Signature of Person with Whom Student Lives Date

_____ _____
Signature of Parent/Guardian Date

Colchester Public Schools
127 Norwich Avenue, Suite 202
Colchester, Connecticut
860-537-7267

Host/Parent

DATE:

RE:
DOB:

Dear

In order for a student to attend public school in Colchester, a child must live with a parent/guardian in Colchester or you, the parent/guardian, must officially establish that your child resides in Colchester with "another person" under the following conditions:

1. Residency with another person is intended to be permanent.
2. Residency is provided without pay from the child's family.
3. Residency is not for the sole purpose of obtaining school accommodations in Colchester Public Schools.
4. The other person signs a notarized affidavit (Host's Statement) that your child lives in Colchester at that person's residence.
5. You, the parent/guardian, submit a notarized Parent/Guardian's Statement and Residency Affidavit.

Enclosed is a three page form titled "Residency Affidavit" which contains the Parent/Guardian's and Host's Statement. Please fill them out completely, having the Parent/Guardian's and Host's statements notarized. Please schedule an appointment with the _____ within ten days to review this information.

Unless we receive these documents which prove your child does have a permanent address in Colchester, we will begin disenrollment proceedings.

Sincerely,

PC: Principal
Colchester Resident
Special Education Director

COLCHESTER PUBLIC SCHOOLS
127 Norwich Avenue, Suite 202
COLCHESTER, CONNECTICUT
860-537-7267

DATE:

RE:
DOB:

Dear

In order for a student to attend public school in Colchester, the child's parent or legal guardian must live in Colchester or you, the parent, must officially establish that your child resides in Colchester with "another person" under the following conditions:

1. Residency with another person is intended to be permanent.
2. Residency is provided without pay from the child's family.
3. Residency is not for the sole purpose of obtaining school accommodations in Colchester Public Schools.
4. The other person signs a notarized affidavit (Host's Statement) that your child is residing with them.
5. You, the parent, submit a notarized Parent's Statement and Residency Affidavit.

Enclosed is a three page form titled "Residency Affidavit" which contains the parent's and host's statement. Please fill them out completely, having the parent's and host's statements notarized. Please schedule an appointment with the residency coordinator within ten days to review this information.

Unless we receive these documents which prove your child does have a permanent address in Colchester, we will begin disenrollment proceedings.

Sincerely,

PC: Principal
Colchester Resident
Special Education Director

Colchester Public Schools
127 Norwich Avenue, Suite 202
Colchester, Connecticut
860-537-7267

RESIDENCY AFFIDAVIT RENEWAL

DATE: _____

To Whom It May Concern:

I _____ certify that the Residency
(Name Of Local Resident)

Affidavit filed on _____ on behalf of _____,
(Date) (Student's Name)

remains true. The above-named student resides with me at _____,

Colchester, Connecticut and my telephone number is _____.

_____
(Signature of Local Resident)

WITNESSED BY:

_____
(NOTARY PUBLIC)

Colchester Public Schools
127 Norwich Avenue, Suite 202
Colchester, Connecticut
860-537-7267

DATE:

RE:
DOB:

Dear

Enclosed is a copy of the Residency Affidavit on file for the above-named student as well as a Residency Affidavit Renewal Form.

Please review the information on the original Affidavit, complete the Renewal form, and return both of them to: Colchester Public Schools, 127 Norwich Avenue, Suite 202, Colchester, CT 06415.

This information must be returned by _____ in order to assure the continued enrollment of _____ at _____.
(Student Name) (School Name)

If you have any questions regarding this request, please feel free to call the Central Office at 860-537-7267.

COLCHESTER PUBLIC SCHOOLS
127 Norwich Avenue, Suite 202
COLCHESTER, CONNECTICUT
860-537-7260

DATE:

RE:
DOB:

Dear

An investigation has been conducted to determine whether your child is a "permanent resident" of Colchester. Our investigation leads us to conclude that your child is not a "permanent resident" of Colchester and is, therefore, denied enrollment in Colchester Public Schools for the following reasons:

1. We have established your permanent residence to be: _____.
2. We cannot find any permanent residence in Colchester for your child.
3. We have been informed by _____ that your child, _____ no longer resides in Colchester.

You, as legal guardian of your child, have a right to a hearing on denial of school access based on residency by the Colchester Public Schools, at which time you may present evidence contrary to our investigation.

Within ten (10) school days of your receiving this letter, you must notify me in writing that you want a hearing by the Board of Education because of denial of school accommodation.

If no such request is received in ten (10) school days, your child will not be allowed to attend school in Colchester Public Schools.

If you choose a hearing, you have the right to bring representation, and the hearing will be conducted in accordance with Conn. Gen. Stat. 10-186.

Sincerely,

PC: Superintendent
Special Education Director
Principal of Nexus Town
Colchester Principal
Colchester Resident

COLCHESTER PUBLIC SCHOOLS
127 Norwich Avenue, Suite 202
COLCHESTER, CONNECTICUT
860-537-7260

DATE:

RE:
DOB:

Dear

An investigation has been conducted to determine whether your child is a "permanent resident" of Colchester. Our investigation leads us to conclude that your child is not a "permanent resident" of Colchester and is, therefore, denied enrollment in Colchester Public Schools for the following reasons:

1. We have established your permanent residence to be: _____.
2. We cannot find any permanent residence in Colchester for your child.
3. We have been informed by _____ that your child, has been with _____ on a temporary basis and will be leaving this residence by _____.
4. We have been informed by _____ that your child, _____ no longer resides in Colchester.

You, as legal guardian of your child, have a right to a hearing on denial of school access based on residency by the Colchester Public Schools, at which time you may present evidence contrary to our investigation.

Within ten (10) school days of your receiving this letter, you must notify me in writing that you want a hearing by the Board of Education because of denial of school accommodation and disenrollment of your child. You have the right to request, that your child remain in Colchester Public Schools while the hearing is in progress. Should it be determined through the hearing process that your child was not entitled to attend Colchester Public Schools, you will be responsible for tuition during such period in accordance with Conn. Gen. Stat. 10-186(b)(4).

If no such request is received in ten (10) school days, your child will not be allowed to attend school in Colchester Public Schools.

If you choose a hearing, you have the right to bring representation, and the hearing will be conducted in accordance with Conn. Gen. Stat. 10-186.

Sincerely,

PC: Superintendent
Special Education Director
Principal of Nexus Town
Colchester Principal
Colchester Resident

COLCHESTER PUBLIC SCHOOLS
127 Norwich Avenue, Suite 202
COLCHESTER, CONNECTICUT
860-537-7260

DATE:

RE:
DOB:

Dear

On _____ we sent you a registered letter outlining our investigation, which concluded that your child does not have a permanent residence in Colchester. Further, we afforded you an opportunity to request a hearing by the Colchester Public Schools regarding eligibility for school accommodation in Colchester.

As of this date, you have not responded to our correspondence. Based on our investigation, we are denying school accommodation to and disenrolling _____ as of this date. If your child has any personal items at _____ School, please call _____ to arrange an appointment to pick them up.

We encourage you to contact the _____ Public Schools in order to enroll your child so that his or her education is not interrupted.

If you have any questions regarding this matter, do not hesitate to call me.

Sincerely,

PC: Superintendent
Special Education Director
Principal of Nexus Town
Colchester Principal
Colchester Resident

COLCHESTER PUBLIC SCHOOLS
127 Norwich Avenue, Suite 202
COLCHESTER, CONNECTICUT
860-537-7267

DATE:

RE:
DOB:

Dear

On _____ we sent you a registered letter outlining our investigation, which concluded that your child does not have a permanent residence in Colchester. Further, we afforded you an opportunity to request a hearing by the Colchester Public Schools regarding eligibility for school accommodation in Colchester.

As of this date, you have not responded to our correspondence. Based on our investigation we are denying school accommodation to _____.

We encourage you to contact the _____ Public Schools in order to enroll your child so that his or her education is not interrupted.

If you have any questions regarding this matter, do not hesitate to call me.

Sincerely,

PC: Superintendent
Special Education Director
Colchester Principal
Colchester Resident

Colchester Public Schools

ADMINISTRATIVE REGULATIONS REGARDING HOMELESS CHILDREN AND YOUTH

In accordance with federal law, the Board of Education does not permit discrimination against, segregation of, or stigmatization of, homeless children and youth. The following sets forth the procedures to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law with respect to homeless children and youth, the provisions of law shall control.

I. Definitions:

A. **Enroll and Enrollment:** includes attending classes and participating fully in school activities.

B. **Homeless Children and Youth:** means children and youth twenty-one (21) years of age and younger who lack a fixed, regular, and adequate nighttime residence, including children and youth who:

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

2. Are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations.

3. Are living in emergency or transitional shelters.

4. Are abandoned in hospitals.

5. Are awaiting foster care placement.

6. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

7. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

8. Are migratory children living in the above described circumstances.

C. **School of Origin:** means the school that a homeless child or youth attended when permanently housed or the school in which the homeless child was last enrolled.

D. **Unaccompanied Youth:** means a youth not in the physical custody of a parent or guardian.

II. Homeless Liaison:

A. The District's Homeless Liaison is_____, [Title]

B. The duties of the Homeless Liaison include:

1. Ensuring that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies.

2. Ensuring that homeless children and youth enroll in, and have full and equal opportunity to succeed in, the District's schools.

3. Ensuring that homeless families, children, and youths receive educational services for which such families, children and youth are eligible.

4. Ensuring that parents and guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.

5. Ensuring that public notice of the educational rights of homeless children and youth is disseminated in places in which these children and youth receive services under the McKinney-Vento Act.

6. Ensuring that enrollment disputes are mediated in accordance with the McKinney-Vento Act.

7. Ensuring that parent(s)/guardian(s) of homeless children and youth or unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing those services.

8. Assisting homeless children and youth in enrolling in school and accessing school services.

9. Informing parent(s)/guardian(s) of homeless children and youth, school personnel, and others of the rights of such children and youth.

10. Assisting homeless children and youth who do not have immunizations or immunization/medical records to obtain necessary immunizations or immunization/medical records.

11. Assisting unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of his or her right to appeal such decisions.

12. Ensuring that homeless children and youth and unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over enrollment or placement.

13. Collaborating and coordinating with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.

III. Enrollment of Homeless Children and Youth:

A. Enrollment of homeless children and youth may not be denied or delayed due to the lack of any document normally required for enrollment. However, administrators shall require the parent/guardian to provide contact information prior to enrollment.

B. To facilitate enrollment administrators:

1. May permit parents/guardians of homeless children and youth to sign affidavits of residency to replace typical proof of residency.

2. May permit unaccompanied youth to enroll with affidavits to replace typical proof of guardianship.

3. Shall refer parent/guardian/unaccompanied youth to the Superintendent who will assist in obtaining immunizations.

4. Shall contact previous schools for records and assistance with placement decisions.

5. Shall maintain records so that the records are available in a timely fashion when the student enters a new school or school district.

IV. School Selection:

A. Standards for School Selection:

1. The District is required to make a determination as to the best interests of a homeless child or youth in making a determination as to the appropriate school of placement.

2. In making such a determination, the District is required to keep a homeless child or youth in his/her school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the child or youth is actually living are eligible to attend.

B. Procedures for Review of School Selection Recommendation:

1. The Principal or his/her designee of the school in which enrollment is sought review an enrollment request in accordance with the standards discussed above, and shall make an initial recommendation regarding same. If the Principal or his/her designee's recommendation is to select a placement other than the school desired by the parent(s) or guardian(s) of the homeless child or youth or the unaccompanied youth, then the Principal or his/her designee shall refer the matter to the Homeless Liaison or his/her designee for review of the recommendation and the reasons therefor.

2. The Homeless Liaison or his/her designee, in consultation with the Superintendent, shall review the matter. If, after consultation with the Homeless Liaison, the Superintendent or his/her designee agrees with the recommendation of the Principal or his/her designee, and a dispute remains between the District and the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth about a school selection and/or enrollment decision; the Superintendent or his/her designee shall provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a written explanation of the District's decision regarding this matter, and the right to appeal such decision to the Board of Education.

C. Dispute Resolution Process:

1. The Homeless Liaison or his/her designee shall be responsible for promoting objective and expeditious dispute resolutions, and adherence to these administrative regulations.

2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.

3. If necessary, the Homeless Liaison or his/her designee shall assist parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board of Education, and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Section 10-186(b).

4. Within ten (10) days of receipt of an appeal to the Board of Education by a parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth, the District shall hold a hearing before the Board of Education concerning such appeal, and such hearing shall be shall be conducted in accordance with Section 10-186(b).

5. If the Board of Education finds in favor of the Superintendent or his/her designee, a parent or guardian of a homeless child or youth or unaccompanied youth may appeal the Board of Education's decision to the State Board of Education within twenty (20) days of receipt of the Board of Education's written decision, in accordance with Section 10-186(b). If necessary, the Homeless Liaison or his/her designee shall assist the parent or guardian of a homeless child or youth or unaccompanied youth with filing the necessary appeal paperwork to the State Board of Education. The homeless child or youth or unaccompanied youth shall remain in his or her school of origin pending the determination of the appeal.

V. Services:

A. Homeless children and youth shall be provided with services comparable to those offered other students in the selected school including:

1. Title I services or similar state or local programs, educational programs for students with disabilities, programs for students with limited English proficiency, and preschool programs.

2. Transportation services.

3. Vocational and technical education.

4. Programs for gifted and talented students.

5. School nutrition programs.

6. Before and after school programs.

B. The District shall coordinate with local social service agencies, other service providers, housing assistance providers and other school districts to ensure that homeless children and youth have access and reasonable proximity to available education and support services.

VI. Transportation:

A. The District shall provide transportation comparable to that available to other students.

B. Transportation shall be provided, at a parent or guardian's request, to and from the school of origin for a homeless child or youth. Transportation shall be provided for the entire time the child or youth is homeless and until the end of any academic year in which they move into permanent housing. Transportation to the school of origin shall also be provided during pending disputes. The Homeless Liaison or his/her designee shall request transportation to and from the school of origin for an unaccompanied youth. Parents and unaccompanied youth shall be informed of this right to transportation before they select a school for attendance.

C. To comply with these requirements:

1. Parents/guardians, schools, and liaisons shall use the district transportation form to process transportation requests.

2. If the homeless child or youth is living and attending school in this District, the District shall arrange transportation.

3. If the homeless child or youth is living in this District but attending school in another, or attending school in this District and living in another, the District will follow the inter-district transportation agreement to determine the responsibility and costs for such transportation. If there is no inter-district transportation agreement, the District shall confer with the other school district's Homeless Liaison to determine an apportionment of the responsibility and costs.

4. If no mutually agreeable arrangement can be reached, then the District shall:

   (a) arrange transportation immediately;

   (b) bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth; and

   (c) shall ensure that such disputes do not interfere with the homeless child or youth attending school.

VII. Contact Information

A. Local Contact: for further information, contact:
Director of Special Education and Pupil Services
860-537-3103

B. State contact: for further information or technical assistance, contact:

State Coordinator
Connecticut Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(203) 807-2058

DISPUTE RESOLUTION PROCESS
UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186

(1) If any board of education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor or a pupil eighteen years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the board of education. The board of education may

(A) conduct the hearing,

(B) designate a subcommittee of the board composed of three board members to conduct the hearing, or

(C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The board, subcommittee or local impartial hearing board shall give such person a hearing within ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor eighteen years or older who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor or pupil eighteen years of age or older, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

(2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the

provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

(3) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which require an extension.

(4) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious or unreasonable. If such school officers fail to take action upon such order in any case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.

SAMPLE WRITTEN NOTIFICATION OF ENROLLMENT DECISION

[Month] __, 20__

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]
[Insert Home Address]

Re: Notification of Enrollment Decision

Dear [Parent/Guardian]:

After reviewing your request to enroll the student(s) listed above [name(s)], the enrollment request is denied. This determination is based upon the following factors:

[List factors]

Under the McKinney-Vento Homeless Education Assistance Act, you have the right to appeal this decision by completing the form attached to this notice or by contacting the school district's homeless education liaison:

_____
[Title]
[phone number]

In addition, the student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense. You may contact the state coordinator for homeless education:

State Coordinator
State Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(860) 807-2058

A copy of the dispute resolution process under section 10-186 is attached to this notice.

Please contact me if you have any questions.

Sincerely,

_____
[Principal or Superintendent]

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

SAMPLE NOTIFICATION OF DECISION

TO APPEAL EDUCATIONAL PLACEMENT

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District Liaison.

Person completing form: _____

Relation to Student: _____

Contact Information: _____

_____

_____

I am requesting a Board of Education Hearing under Section 10-186 of the Connecticut General Statutes to appeal the enrollment decision made by Colchester Public Schools. I have been provided with a written explanation of the District's decision, contact information for the District's Homeless Education Liaison, and a copy of the Dispute Resolution Process under Connecticut General Statutes Section 10-186.

_____ _____

Name Date

Optional. You may also include a written explanation to support your appeal in the space below or provide your explanation verbally to the District Liaison.

SAMPLE NOTIFICATION OF HEARING

REGARDING ENROLLMENT DISPUTE

[Month] __, 20__

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]
[Insert Home Address]

Re: Educational Placement

Dear [Name of Parent]:

You have requested a hearing before the Colchester Board of Education regarding the educational placement of your child(ren), [insert name(s) of student(s)] at [name of school]. The Colchester Board of Education will conduct a hearing regarding your claim on [date] at [time]. The hearing will be held at the offices of the Colchester Board of Education, which are located at 127 Norwich Avenue, Suite 202, Colchester, CT.

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board of Education will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire.

Please contact me if you have any questions.

Sincerely,

_____
Superintendent of Schools

Cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

STUDENT RESIDENCY AFFIDAVIT

Colchester Public Schools

Name of student: _____ Birthdate: _____

Name and Location of School Last Attended: _____

I, _____ declare and affirm as follows:

I am of legal age and believe in the obligations of an oath.

I am the parent/legal guardian/caregiver of _____ (name of student) who is of school age and is seeking admission to the Colchester Public Schools.

Since _____(date), _____ (name of student) has not had a permanent home. However, he/she has been residing within the school district boundaries and intends to stay here. He/she is currently staying at _____ (address). This location is:

___ a shelter
___ a motel/hotel
___ a campsite
___ shared housing with other persons
___ other _____

I regularly receive my mail at: _____.
I am currently living at the following address: _____.
I can be reached at the following telephone number: _____. I can be reached for emergencies at: _____.

I declare under penalty of perjury under the laws of Connecticut that the information provided is true and correct and of my own personal knowledge.

AFFIANT,

_____
Signature of Affiant

_____
Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

_____
NOTARY PUBLIC

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION

Colchester Public Schools

I, _____, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding [name of student's] missing enrollment documentation for the following:

___ Proof of residency
___ Proof of guardianship
___ Proof of identity
___ Birth Certificate
___ Immunization Record
___ School Health Record
___ School Records

I am of legal age and believe in the obligations of an oath.

I am unable to present a copy of the document(s) requested above for the following reasons:

_____

_____

The name and location of the last school the student attended is

_____.

I understand that I must obtain the necessary immunization and health records and provide a copy to the District.

AFFIANT,

_____
Signature of Affiant

_____
Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

_____
NOTARY PUBLIC

392756 v.01 S2

ACKNOWLEDGEMENT OF OPTION TO WITHDRAW CHILD SEVENTEEN YEARS OF AGE FROM SCHOOL

Pursuant to Section 10-184 of the Connecticut General Statutes.

I _____, of _____
Name of Parent, Guardian or Other Address

the parent, guardian or other person charged with the care of the following minor child

_____ of _____, born on
Name of Child Address

_____ do hereby elect to withdraw my child from public school.
Date of Birth

Furthermore, before signing this form, a representative of the Colchester school district has met with me and provided me with information concerning the educational options available in the school system and the community.

ATTESTMENT BY:

_____ _____
Signature of School Counselor Date

OR

_____ _____
Signature of School Administrator Date

ACKNOWLEDGED BY:

_____ _____
Signature of Parent, Guardian or Other Date

If a child seventeen years of age or older voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school accommodations to the child for up to ninety school days from the date of such termination, unless the child seeks readmission to the school district not later than ten school days after the termination in which case the board shall provide school accommodations to the child not later than three school days after the child seeks readmission.

Colchester Public Schools

5111.1P

STUDENTS

FOREIGN EXCHANGE STUDENTS

The Board encourages international studies. To that end, contingent upon space availability as determined by the school administration, it allows foreign exchange students on one year J-I visas, who are residing with families in the community to enroll on a non-tuition basis in the local schools.

Students who apply must not have the equivalent of a high school diploma from a foreign school system. Students who are accepted and placed in grade 12 will only receive an honorary diploma. Further, they must meet those criteria established by the administration in the areas of language competency, residency, and deportment. Only foreign exchange students sponsored by organizations screened by the administration will be accepted. No more than two (2) students at the high school may be accepted for any school year.

Students entering the United States on F-I visas, may enter the local school system, only upon payment of the full, unsubsidized public education costs before entering the United States. Further, students on F-I visas may remain in the United States for no more than twelve (12) months. The local district is prohibited by law from waiving the tuition fee of students on F-I visas.

Legal Reference: Illegal Immigration Reform and Immigration Responsibility Act of 1996

POLICY ADOPTED: March 12, 2002
REVISED: February 13, 2019

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5113P
STUDENTS

STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM POLICY

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board of Education takes seriously the issue of chronic absenteeism. To address this issue, the Board of Education, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

Legal References:

Public Act 17-14, An Act Implementing the Recommendations of the Department of Education

Public Act 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

ADOPTED: August 9, 2016
REVISED: May 8, 2018
REVISED: November 13, 2018

NSC

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STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM REGULATIONS

I. Attendance and Truancy

A. Definitions for Section I

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.

2. "Disciplinary absence" - Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused for attendance and truancy purposes.

3. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

4. "Excused absence" - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student's return to school, or if the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and the following criteria are met:

   a. Any absence before the student's tenth (10^{th}) absence is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.

   b. For the student's tenth (10^{th}) absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:

      i. student illness (verified by an appropriately licensed medical professional);

ii. religious holidays;

iii. mandated court appearances (documentation required);

iv. funeral or death in the family, or other emergency beyond the control of the student's family;

v. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;

vi. lack of transportation that is normally provided by a district other than the one the student attends.

c. A student, age five (5) to eighteen (18), whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

5. "In Attendance" - Any day during which a student is present at the student's assigned school, or an activity sponsored by the school, for at least half of the regular school day.

6. "Student" - a student enrolled in the Colchester Public Schools.

7. "Truant" - any student **five (5) to eighteen (18)** years of age, inclusive, who has **four (4)** unexcused absences from school in any one month or **ten (10)** unexcused absences from school in any school year.

8. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which is not excused or considered a disciplinary absence.

The determination of whether an absence is excused will be made by the building principal or his/her designee. Parents or other persons having

control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

B. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. Consecutive days of absence are considered one incidence of absence.

2. The first nine (9) days of absence will be excused upon receipt of a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate.

3. For the student's tenth (10^{th}) absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:

   a. student illness:

      i. a signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or

      ii. a signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation.

   b. religious holidays: none.

   c. mandated court appearances:

      i. a police summons;

      ii. a subpoena;

      iii. a notice to appear;

      iv. a signed note from a court official; or

      v. any other official, written documentation of the legal requirement to appear in court.

d. funeral or death in the family, or other emergency beyond the control of the student's family: a written document explaining the nature of the emergency.

e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.

f. lack of transportation that is normally provided by a district other than the one the student attends: none.

4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, a building administrator may, in his/her own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.

5. The Colchester Public Schools reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.

6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

C. <u>Extraordinary Educational Opportunities</u>

1. To qualify as an extraordinary educational opportunity, the opportunity must:

a. be educational in nature and must have a learning objective related to the student's course work or plan of study;

b. be an opportunity not ordinarily available to the student;

c. be grade and developmentally appropriate; and

d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.

2. Family vacations do not qualify as extraordinary educational opportunities.

3. All requests for approval of extraordinary educational opportunities must:

    a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;

    b. contain the signatures of both the parent/guardian and the student;

    c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and

    d. include additional documentation, where available, about the opportunity.

4. The building principal shall provide a response in writing and include the following:

    a. either approval or denial of the request;

    b. brief reason for any denial;

    c. any requirements placed upon the student as a condition of approval;

    d. the specific days approved as excused absences for the opportunity;

    e. the understanding that the building administrator may withdraw its approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.

5. All decisions of the building principal relating to extraordinary educational opportunities shall be final.

6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.

7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

D. Truancy Exceptions:

1. A student **five (5) or six (6) years of age** shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.

2. A student **seventeen (17) years of age** shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

E. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section D.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section D.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

F. Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.

2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate in accordance with applicable law.

G. Procedures for students in grades K-8*

1. Notification

a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations pursuant to Conn. Gen. Stat. § 10-184 to ensure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the Colchester Public Schools.

b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building principal [or his/her designee] shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. (Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent.) Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same

immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

H. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

a. When a student reaches four (4) unexcused absences, the building principal or his/her designee shall send a letter to the parent (or other person having control of such student) informing the parent of the attendance policy. When a student reaches six (6) unexcused absences, the building principal or his/her designee shall contact the parent (or other person having control of such student) via phone to inquire about the absences and, where appropriate, educate the parent about the attendance policy. When a student reaches eight (8) unexcused absences or four (4) unexcused absences in a month, the building principal or his/her designee shall meet with the parent (or other person having control of such student), discuss support opportunities for the child, and inform the parent of the laws associated with educational neglect.

When a student is truant, the building social worker shall schedule a meeting with the parent (or other person having control of such student) to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant and prior to the student referral to the building-based student intervention team. The district shall document the meeting, and if a parent or other person declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance. The Team, with input from parents when available, shall develop an attendance plan for the student. The Team will also consider whether a regular education student should be referred to a planning and placement team ("PPT") meeting to review the student's need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.

b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

c. On or before August 15, 2018, if the Commissioner of Education determines that any school under the jurisdiction of Colchester Board of Education has a disproportionately high rate of truancy, the district

shall implement a truancy intervention model identified by the Department Education pursuant to Conn. Gen. Stat. § 10-198e.

d. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID). Student records of attendance shall be recorded in the district student information system. Unexcused absences beyond nine (9) shall be recorded with the truancy code (TR).

Loss of credit and failure of courses

A student at William J. Johnston who accumulates twenty (20) or more unexcused absences in any one course per academic year may receive a failing grade if that student is unable to exhibit proficiency of course objectives. The student shall be notified of the loss of credit prior to the end of the course, and is entitled to a loss of credit hearing.

A student at Bacon Academy who accumulates ten (10) or more unexcused absences for a year-long course, or five (5) or more unexcused absences for a semester course, may lose credit for the course if the student is unable to exhibit proficiency of course objectives. The student shall be notified of the loss of credit prior to the end of the course, and is entitled to a loss of credit hearing.

I. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

II. Chronic Absenteeism

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Colchester Board of Education and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;

2. "Absence" - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative regulations;

3. "District chronic absenteeism rate" - the total number of chronically absent children under the jurisdiction of the Colchester Board of Education in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year; and

4. "School chronic absenteeism rate" - the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

Each school in Colchester shall establish an attendance review team to ensure consistent and on-going review of and support for student attendance.

If the Colchester Board of Education has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the school district.

C. Composition and Role of Attendance Review Teams

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, as defined under I.A.7, and chronically absent children and their parents or guardians.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

D. State Chronic Absenteeism Prevention and Intervention Plan

The Colchester Board of Education and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

III. Reports to the State Regarding Truancy Data

Annually, each local and regional board of education shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding

attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

Legal References:

Public Act 17-14, An Act Implementing the Recommendations of the Department of Education

Public Act 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee

Connecticut General Statutes § 10-220
Connecticut General Statutes § 10-184
Connecticut General Statutes § 10-186
Connecticut General Statutes § 10-198a
Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c
Connecticut General Statutes § 10-198d
Connecticut General Statutes § 10-198e

Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

APPROVED: August 9, 2018
REVISED: May 8, 2018
REVISED: November 13, 2018
REVISED: October 15, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

COLCHESTER PUBLIC SCHOOLS
Notice of Attendance Committee Meeting

_____ Date: _____
(Name of Parent/Guardian or Student)

_____
(Name of Parent/Guardian or Student)

_____
(Name of Parent/Guardian or Student)

Dear _____:

Please be advised that a School Based Attendance Committee meeting will be convened on

behalf of _____ DOB: _____
(Name of Student)

Date: _____ Time: _____ Location: _____

The purpose of this meeting is to address the following attendance issue(s):

_____
_____
_____

The following individuals have been invited to attend:

_____		_____	
Name	Committee Chairperson	Name	Attendance Officer
_____		_____	
Name	Referring Teacher	Name	Attendance Officer
_____		_____	
Name	Committee Member	Name	Attendance Officer
_____		_____	
Name	Committee Member	Name	Attendance Officer

Parent participation in this process is very important. Please make every effort to attend.

Sincerely,

_____ _____
(Name) (Title)

SAMPLE LETTER

^[letter.date]

Dear ^(parentguardian)

Attendance is an essential component to a student's academic success. Often, the number of days a student is absent accumulates without parents realizing the impact.

You are receiving this letter because ^(first_name) has reached ^(per.att;HR(A);AB,UA,OS,TR,CA,AA,RH) absences to date. As you may be aware, the State of Connecticut requires schools to notify parents after a child's 4th unexcused absence in a month and 10th unexcused absence in a year. Additionally, following a students' 9th absence, a doctor's note is required to excuse all absences due to illness. At this time, you and your student have an opportunity to work towards improving attendance without further intervention. Should this pattern continue, however, the school will request a meeting with yourself and our Social Workers to discuss how we may work with you in addressing attendance concerns.

Research indicates that all students benefit from attending school regularly. It helps them to feel better about school and themselves as they foster relationships with peers and staff. Consistent attendance will also help students do well in high school, college, and at work.

Tips for Improving School Attendance

- Monitor your student's attendance through PowerSchool and be sure to call ahead about any absences. Without a written note when your child returns, the absence will automatically be marked as unexcused.
- There are 180 school days out of 365 total days in the year. Please make every effort to schedule vacations over summer break or another time school is not in session.
- Missing 10 percent of school (18 days) increases the chance your child may not read or master academics at the same level as their peers.
- Please consult with the nurse if you are unsure whether your child should be kept home due to illness. In general, they should remain symptom free for 24 hours without medication before they return.

Please refer to the attached attendance report for a list of your student's absences. Should there be any questions regarding the number of absences accrued or the attendance policy, please do not hesitate to contact the school. Thank you for your attention to this matter as we look forward to working with you and your student.

Respectfully,

(Name)
Principal

cc: ^(home_room)
Social Worker

ID: _____

Meeting Date: _____

Student: DOB: Age: Grade: Ethnicity: School: **CES**

Gender (circle): Female Male

Referring Teacher: _____

Student Dominant Language: **English** Other (specify): _____

Parent/Guardian: _____

Address:_____

Home Phone:_____Work Phone:_____

Parent Dominant Language: **English** Other (specify):

_____

Committee Chairperson:_____ Parent/Guardian:_____

Teacher: _____ Nurse: _____

ATTENDANCE ISSUES:

_____
_____
_____
_____

LIST OF RECOMMENDATIONS:

_____
_____
_____
_____

____Check here if additional pages attached

Date of follow-up meeting (if required): _____

ATTENDANCE PROCEDURE DOCUMENTATION FORM

Teachers and Administrators

Student Name: _____ School: _____

Homeroom Teacher: _____ Grade: _____

Attempt #1:

Staff member making contact	Name of person whom you attempted to contact	Method	Date	Outcome: Check all that apply
				__ Left phone message __ Sent letter __ Parent/teacher meeting *Parent response:* __ Favorable outcome expected __ Unable to resolve

Attempt #2:

Staff member making contact	Name of person whom you attempted to contact	Method	Date	Outcome: Check all that apply
				__ Left phone message __ Sent letter __ Parent/teacher meeting *Parent response:* __ Favorable outcome expected __ Unable to resolve

If unresolved:

__ No medical documentation available to excuse absences.

__ Medical documentation may or may not be able to excuse absences.

__ Planning and Placement Team meeting scheduled.

__ 504 meeting scheduled

__ Referral to community resources will be made.

__ Other

Comments:

_____
_____

REFERRAL
School Based Attendance Committee

Student Name: _____ DOB: _____ Grade: _____

School: _____ Parent Name: ____ Home Phone: _____

Person Completing Form: _____ Date: _____

Attendance Issue (based on Board Attendance Policy)

_____

_____

_____

_____

_____

_____

_____

Other Issues:

_____

_____

_____

_____

_____

_____

Submit form to School Based Attendance Committee

Colchester Public Schools

5115P

STUDENTS

ATTENDANCE RECORDS

An accurate attendance record shall be maintained of students' attendance.

POLICY ADOPTED: March 12, 2002
REVISED: February 13, 2019

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5118P

STUDENTS

NONRESIDENT ATTENDANCE

It is the policy of the Colchester Board of Education that any child of school age who is a resident in the Town of Colchester, as defined by statute and in the regulations of this policy, may attend the Colchester Public Schools. By Connecticut statute, the town of Colchester is required to provide school accommodations to students who are permanent residents of Colchester. Residency must be permanent, provided without pay and not for the sole purpose of obtaining school accommodations. The burden of proof in determining student residency shall be on the party claiming residency. For the purposes of determining "permanent residency," and whether such residency is "provided without pay," a child will be considered a permanent resident under the following conditions:

1. The child resides full time with his/her parent(s)/guardian(s) who is a bona fide resident of Colchester.

2. In the case of a child whose parents are divorced or separated, the child will be entitled to school accommodations in the school district where he or she actually resides and spends the majority of his/her time irrespective of an award of legal custody to one or both parents.

3. The child is a legally emancipated minor or eighteen (18) years of age or older and is a bona fide resident of Colchester.

4. Any child placed out by the Commissioner of Children and Families or by other agencies or persons or any child in a temporary shelter as provided for under Section 10-253(a) of the General Statutes of Connecticut.

5. A child residing with relatives or non-relatives as provided for under Section 10-253(d) of the General Statutes of Connecticut if the residency is to be permanent, provided without pay and not for the sole purpose of obtaining school accommodations.

Proof of residency, as detailed in the regulations of this policy, will be required upon initial registration for all children. The Colchester Board of Education reserves the right to ask for additional proof of residency at the time of initial registration or after the time of initial registration in the event that such residency is called into question.

A child who does not reside in the Town of Colchester may be eligible to attend the Colchester Public Schools under certain conditions as defined in the regulations of this policy and in accordance with state and federal law.

If in the opinion of the Superintendent or his/her designee or the Board of Education, a student resides in Colchester for the primary purpose of obtaining a free public education, or if the student has not established permanent residency, that student shall not be permitted to be enrolled or to continue enrollment in the Colchester Public Schools.

In the case in which a student is determined to have been ineligible for services, it is the right of the Colchester Public Schools to collect reimbursement from the parent/guardian for any assessed costs of said schooling rendered during the time of enrollment.

Legal References:

Connecticut General Statutes

4-176e-through 4-185 Uniform Administrative Procedure Act

10-186 Duties of local and regional Boards of education re school attendance. Hearing Appeals to state Board. Establish of hearing Board.

10-253 School privileges for students in certain placements and temporary shelters.
McKinney Vento Homeless Assistance Act, 42 USC 11431 et seq

POLICY ADOPTED: December 12, 2000
REVISED: December 9, 2003
REVISED: March 12, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5118R

STUDENTS

NONRESIDENT ATTENDANCE

A child will be considered to be a resident of Colchester for the purpose of receiving school accommodation provided to by the Colchester Board of Education without payment of tuition under the following conditions:

1. The child resides with his/her parents or a parent who is a bona fide resident of Colchester.

2. In the case of a child whose parents are divorced or separated, the child will be entitled to school accommodations in the school district where he or she actually resides and spends the majority of his/her time irrespective of an award of legal custody to one or both parents. An award of custody to a particular parent may be considered as one indicia of where the child actually resides.

3. The child resides with a legally appointed guardian who is a bona fide resident of Colchester. The guardian or guardians will be asked to provide a court order indicating appointment as guardian of the student.

4. The child is a legally emancipated minor or eighteen (18) years of age or older and is a bona fide resident of Colchester. The child will be asked to provide legal documentation proving emancipation.

5. A child who resides in a dwelling physically located in Colchester and another Connecticut town shall be considered a resident of Colchester or the other town in which the dwelling is located and may attend school in Colchester or the other town. Dwelling for these purposes means a single, two or three family house or condominium unit.

6. Any child placed out by the Commissioner of Children and Families or by other agencies or persons as provided for under Section 10-253 (a) of the General Statutes of Connecticut. Payment of tuition for such education shall be made by the Board of Education of the school district under whose jurisdiction such child would otherwise be attending school where such a school district is identified.

7. Any child in a temporary shelter as provided for under Section 10-253(e)(2) of the General Statutes of Connecticut. Payment of tuition for such education shall be made by the school district in which the child would otherwise reside, if identified and notified. 2

8. A child residing with relatives or non-relatives as provided for under Section 10-253(d) of the General Statutes of Connecticut if the residency is to be permanent, provided without pay and not for the sole purpose of obtaining school accommodations:

   a. Permanent -"Permanent residency" shall be defined as one who resides in Colchester and who has a present intention to remain within Colchester indefinitely.

   b. Provided by the Colchester Relative or Non-Relative without Payment or Compensation by the Child's Parent or Legal Guardian - Pay shall include any monetary remuneration from a parent for the support of a child either to the relative or nonrelative but does not include gifts for purposes other than support. Pay does not include maintaining the child's health insurance, taking the child as a deduction for income tax purposes or making support payments according to a court order.

   c. Not for the Sole Purpose of Obtaining School Accommodations in the Colchester Public School System - as determined by individual facts and circumstances. The Board of Education or its designee may require documentation, including sworn affidavits, from the parent/guardian, emancipated minor or student eighteen years of age or older or relative or non-relative that the residence is to be permanent, provided without payment or compensation and not for the sole purpose of obtaining school accommodations provided that prior to any request for documentation of a child's residency, the Board of Education shall provide a written statement specifying the basis upon which the Board has reason to believe that such child, emancipated minor or pupil eighteen (18) years of age or older is not entitled to school accommodations provided by the Colchester Public Schools.

Evidence of Permanency and Residency

Factors that may be used as evidence of permanency and residency or the lack thereof, include, but not limited to the following:

1. The child lives and sleeps seven (7) days a week, twelve (12) months a year at the Colchester address, with his or her natural or legally adoptive parent(s) or guardian(s).

2. The child lives and sleeps seven (7) days a week, twelve (12) months a year in Colchester and is an emancipated minor or an adult.

3. The child of divorced/separated parents spends 50% or more of his/her time with a parent residing in Colchester.

4. Statements of the person with whom the child is living, the child, and the child's parents as to their intention concerning residency;

5. Statements as to the purpose of the residence indicating whether or not permanent residence exists;

6. Legal documents, court orders or other signed agreements or documents e.g., guardianship agreement revocable at will, which may indicate arrangement is not permanent;

7. Legal relationships: child to host family; legal guardianship; emancipation or termination of parental rights; pending adoption proceedings;

8. Exercise of parental control: a. Decisions as to the child's education; b. Decisions on medical care; c. Signature on disciplinary notices, report cards, permission slips, absence notices; d. Attendance at parent-teacher conferences, and other school events;

9. Financial responsibility: a. Health or other insurance coverage; b. Income tax claim as dependent;

10. Where the child has: a. His/her bedroom--at parents' or host family or both; b. Clothes, personal belongings;

11. Where the child spends the majority of his/her time, the weekends, holidays, school vacations, summer vacation, and how often the child visits parents or parents visit child;

12. How long it has been since child lived with parents.

Note that neither any single factor nor combination of factors guarantees a finding of residency. Being a land owner, tax payer, or business owner in Colchester does not

confer residency privileges for school purposes absent additional adequate proof of residency.

Student Registration

The parent/legal guardian enrolling their child shall complete appropriate sections of the Student Registration form, complete any applicable affidavits, and submit required documentation establishing residency at the time of registration. Updated student information is to be supplied annually on forms provided by the school at the beginning of each school. Any subsequent changes, most notably a change in a student's address, are required to be reported to a student's school in writing at the time of change.

Verification of Residency

Verification of residency shall be required in Grades Pre-K through twelve at the time of initial registration and/or the expiration of a mortgage or lease, or upon request by administration when there is a suspicion that there has been a change in residency or in circumstances that otherwise previously qualified a student for school accommodations.

Verification of residency shall include presentation of multiple documents confirming residency. The following is required: 1) for homeowners: mortgage or deed or tax bill , and for renters: lease or rental agreement signed by the landlord with landlords contact phone number, and 2) two recent utility bills in the same name and to the same address (for land line telephone, water, electric, gas, oil or cable television – not cellphone), and 3) if applicable, any notarized affidavits, or legal or court documentation proving/attesting to residency, guardianship, adoption, custody, emancipation, etc. (see registration form).

Individuals who are registering or renewing the registration for a relative or nonrelative who is residing with them in Colchester will be required annually to complete affidavits provided by the district. In order to prove residency, the law requires the mutual intent of the relative or nonrelative and the child or the parent or guardian that the residence is (1) permanent, (2) provided without pay and 3) not for the sole purpose of free school accommodations.

No one factor or combination of factors guarantees a finding of residency. A determination of residency involves both a quantitative and qualitative assessment of the documentation presented.

The Board of Education or its designee reserves the right to request additional proof of residency and/or to deny enrollment if the documentation submitted is adjudged to be insufficient to establish residency in Colchester.

In those situations where the child is denied school accommodations by the building administrator, the parent/guardian, emancipated minor or pupil eighteen (18) years of age or older shall be provided with a written notice specifying the basis under which the child is not being allowed to enroll and the right to appeal to the Board of Education as provided under student dis-enrollment.

1. Enrollment/Reenrollment of Students who transfer from Unified School District # 1 or # 2

   Any student who transfers from Unified School District #1 or #2 shall be immediately enrolled in district, and if the student attended a Colchester Public School prior to enrollment in District #1 or #2, he/she should be reenrolled in his/her previous school provided the school has the appropriate grade level for such student.

2. Enrollment /Disenrollment of Homeless Students

   Students who are homeless will be enrolled in accordance with state and federal law governing children and youth in homeless situations.

3. Voluntary Termination of Enrollment by Students Seventeen (17) Years of Age or Older

   Whenever a student seventeen (17) years of age or older voluntarily terminates enrollment in a school district and subsequently seeks readmission not later than ten (10) days after termination, the Board shall provide school accommodations to such child not later than three (3) school days after the student seeks readmission. If the student seeks readmission after ten (10) school days, the Board may deny school accommodations for up to ninety (90) days from the date of termination.

Student Dis-Enrollment: Investigation

Where there is reasonable doubt by the building administrator as to the permanent residence of a child, or there is a belief or suspicion that there is a change in circumstances that otherwise existed to qualify a child for school accommodations in the Colchester Public Schools, the administrator shall collect as much information as possible to substantiate the claim against continuation of school accommodations and review that information with the Superintendent or a designee. As part of this process, the administrator in accordance with state and federal law and Board policy may

request additional information from the parent or guardian, the emancipated student pupil who is eighteen (18) years of age or older or the relative or nonrelative with whom the student purports to live in Colchester. If after a review of the information collected, a determination is made that the child is not eligible for continued enrollment, the parent or guardian, emancipated child or pupil eighteen years of age or older shall be advised by the administrator to withdraw the student.

Assessment of Tuition/Civil Remedies

In the event it is determined that a child is not legally entitled to be provided school accommodation by the Colchester Board of Education without the payment of tuition, the Colchester Board of Education may, pursuant to Connecticut General Statute S10-186 assess the child's parent or guardian for tuition for that period of time that the child was not legally entitled to attend the Colchester Public Schools and may seek civil remedies to collect any unpaid assessments of tuition.

Denial of School Accommodations: Notification

1. The Superintendent shall notify the parent or guardian, emancipated child or a pupil eighteen (18) years of age or older in writing by regular mail and certified mail, return receipt requested, and a where deemed appropriate, additionally be hand delivery, that an investigation discloses that the child is not legally enrolled in school. This notice shall be sent to the actual address, if known, or the address of record, of the parent or guardian, emancipated child or other individual(s) listed as the responsible party on school records. The notice shall include a statement informing the parent or guardian, emancipated child or pupil eighteen (18) years of age or older of their right to request a hearing before the 6 Board of Education in accordance with Connecticut General Statutes Section 10-186. This letter shall set forth the manner in which a hearing shall be requested and shall set a date by which a hearing must be requested in writing.

2. The Superintendent shall advise the Board of Education under whose jurisdiction it claims such child should be attending school of its denial of school accommodations in Colchester. The Superintendent shall provide such notification by sending a copy of the denial of accommodations letter to the Superintendent of Schools in the school district(s) where the student is believed to reside.

3. If no written request for a hearing is received by the Superintendent from the parent or guardian, emancipated child or pupil eighteen (18) years of age or older by the date specified in the denial of accommodations letter, then the child shall no longer

be permitted to attend classes and all school books and equipment are to be returned by that date to the office of the administrator.

4. If a timely written request for a hearing is submitted by the parent or guardian, emancipated child, or pupil eighteen (18) years of age or older, the child may continue to attend school upon request to do so until the Board has completed the hearing and made its decision.

Request for a Board Hearing/Hearing Procedures

1. The Board of Education shall conduct a hearing within ten (10) days after receipt of a written request from the parent, guardian or emancipated child or pupil eighteen years of age or older for a hearing and the hearing shall be conducted in accordance with the provisions of Sections 4-176e to 4-180a, inclusive, and 4-181a of the General Statutes of Connecticut.

2. A written notice of a hearing shall be sent by the Board to the parent or guardian, emancipated child or pupil eighteen (18) years of age or older and shall include:

   a. A statement of the date, time, place and nature or the hearing;

   b. A statement of the legal authority and jurisdiction under which the hearing is to be held;

   c. A reference to the particular sections of the statutes and regulations involved;

   d. A short and plain statement of the matters asserted.

   e. A statement advising the parent or guardian of the right to be represented by counsel, to present evidence and argument, to have witnesses on their behalf and to cross-examine witnesses presented by the administration.

3. The party claiming eligibility for school accommodations shall have the burden of proving such eligibility by a preponderance of evidence.

4. The Board of Education shall make a stenographic record or tape recording of such hearing.

5. The Board of Education shall render a finding within ten (10) days after the hearing, and provide a written copy of its decision to the parties in accordance with Sections 4-176e to 4-180a, inclusive, and 4-181a of the General Statutes of Connecticut.

6. If the decision of the Board is that the child is a Colchester resident entitled to school accommodations, the pupil shall be allowed to continue enrollment and no record of these proceedings will be kept in the pupil's cumulative file.

7. If the decision of the Board is that the student is a nonresident and not entitled to school accommodations

    a. and the student has remained in school pending the outcome of the Board hearing, he/she may elect to continue attending school for twenty (20) more days from the date the Board's decision was mailed; the twenty (20) days represents the time period in which an appeal of the decision may be lodged; once the appeal period has lapsed and if no appeal has been initiated, the child shall not be permitted to continue to attend school in the Colchester Public Schools and all school books and equipment are to be returned to the office of the administrator;

    b. Once it is determined that the child is not legally permitted to continue to attend school, and if the student continues to attend passed the appeal period, the Superintendent, on behalf of the Board, may avail itself of any appropriate, legal and available measures, including but not limited to referral to the police.

8. If an appeal is not taken to the State Board of Education within twenty (20) days of the mailing of the finding of the Colchester Board of Education to the aggrieved party, the decision of the Colchester Board of Education shall be final.

Appeal of Board of Education Decision

1. A parent, guardian or emancipated child or pupil eighteen (18) years of age or older may appeal the decision to the State Board of Education within twenty (20) days of the mailing of the decision by the Board of education. Any child, emancipated minor or pupil eighteen (18) years of age or older who is denied accommodations by a board of education may continue in attendance in the school district, at the request of the parent or guardian emancipated child or pupil pending a determination of such appeal. If such an appeal is not brought within the twenty (20) days, then the Board of Education decision becomes final.

2. A copy of each notice of appeal shall be filed simultaneously with the Colchester Board of Education and the State Board of Education.

3. Any such parent, guardian, emancipated minor, or pupil eighteen (18) years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty (30) days after such request.

4. The Colchester Board of Education shall, within ten (10) days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education.

5. The State Board of Education shall on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the Colchester School District.

6. The hearing board shall render its decision within forty-five (45) days after receipt of the notice of appeal except that an extension may be granted by the commissioner of education upon an application by a party or the hearing board describing circumstances related to the hearing which requires an extension.

7. If the hearing board of the State Board of Education makes a determination that the child was not a resident of the Colchester School District and, therefore, not entitled to school accommodations by the Board, the Board may assess tuition (based upon one onehundred-eightieth of the town's net current local education expenditure, as defined in CGS 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by the district) against the parent, guardian emancipated child or pupil eighteen (18) years of age or older, as provided by law. The Board may seek to recover such amount through available civil remedies.

8. A parent, guardian or the student with legal standing aggrieved by the decision of the State Board of Education may appeal to the Superior Court according to C.G. S. 10-187, and may file with the State Board of Education within fifteen (15) days after personal delivery or mailing of the final decision, a petition for reconsideration of the final decision in accordance with C. G.S 4-181a.

Non-Resident Students

1. Children who are not bona fide residents of Colchester may be permitted to attend Colchester public schools at the discretion of the Colchester Board of Education, or the Superintendent, or their designees, upon such terms as said Board shall establish on a space available basis. Said terms may include the payment of appropriate tuition as determined by the Colchester Board of Education. Non-resident students

who are permitted to attend Colchester schools shall be responsible to provide their own transportation to and from school.

2. When a family moves from Colchester during the school year, a child may continue to attend the Colchester school he/she was attending for the remainder of the school year under the following terms and conditions:

    a. The family will be required to pay tuition on a pro-rated basis for the balance of the school year if the family moves from Colchester prior to May 1st of any school year. Seniors who have attended the Colchester Public Schools since grade 9 may be allowed to complete their senior year without payment of tuition if the family moves on or after the second semester. Exceptions for hardship cases may be made at the discretion of the Superintendent.

    b. The family will not be required to pay tuition for the balance of the school year if the family moves from Colchester on or after May 1st of any school year.

    c. In all cases where a student continues in attendance in the Colchester public schools after his/her family moves from Colchester, responsibility for transportation to and from Colchester must be provided by the family.

3. Children who are citizens of a foreign country may be permitted to attend the Colchester public schools without payment of tuition, if they are participants in a foreign student exchange program, have not completed a secondary program in their native country, reside in Colchester and are approved by the Superintendent.

4. The decision regarding the residency status of any child shall be made by the Superintendent. At the end of each school year, the Superintendent will review the status of each non-resident child enrolled pursuant to this policy for approval or denial for the ensuing school year.

Tuition for Non-resident Students

1. Tuition rates shall be based annually upon a calculation conducted on data available for September 1st of the year in which services are received by a non-resident.

2. The total amount assessed per student shall be equal to the Minimum Expenditure Amount (M.E.A.) for the proper grade level and/or program within which he/she is placed.

3. Tuition fees will be prorated and payable in advance the first of every month.

4. In the event of a default of payment, educational services shall cease.

Legal References:

Connecticut General Statutes

4-176e-through 4-185 Uniform Administrative Procedure Act

10-186 Duties of local and regional Boards of education re school attendance. Hearing Appeals to state Board. Establish of hearing Board.

10-253 School privileges for students in certain placements and temporary shelters.

McKinney Vento Homeless Assistance Act, 42 USC 11431

REGULATION ADOPTED: March 12, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

HOMELESS CHILDREN AND YOUTH POLICY

Homeless Students

The Board shall make reasonable efforts to identify homeless children and youths within the district, encourage their enrollment in school and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

The District administration shall attempt to remove existing barriers to school attendance by homeless children or youth, which may include:

1. **Records -** The selected school for the homeless student shall enroll the child or youths even in the absence of records normally required for enrollment. The last school in which the student was enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent.

3. **Grade Level Placement -** If the District is unable to determine the student's grade level due to missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

4. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, shall be waived.

5. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.

6. Official school records, policies, and regulations shall be waived at the discretion of the Superintendent, in compliance with federal and state regulations.

7. **Immunization Records -** The District shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

Homeless students shall not be separated from the mainstream school environment on the basis of their homelessness. Such students shall have access to education and other services they need to meet the same challenging State academic standards to which all students are held.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

1. continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or

2. provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian. If placement in the school of origin is not feasible, the homeless student must be placed in the school that is attended by other students living in the same attendance area in which the homeless child lives.

The District will provide a written explanation, including the right to appeal, whenever the District sends a homeless student to a school other than the school of origin, a school requested by the parent/guardian or unaccompanied youth.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the District, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs, and preschools operated by the District, if they meet the established criteria for these services.

The Superintendent of Schools shall refer identified homeless children under the age of eighteen who may reside within the school district, unless such children are emancipated minors, to the Connecticut Department of Children and Families (DCF).

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or

incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.

4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs, or share the costs equally.

5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.

6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

7. The Board will provide any homeless student, who is not in the physical custody of a parent/guardian, full access to his/her educational records, including medical records, in the Board's possession.

8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

9. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

The District's educational liaison for homeless children is the Director of Pupil Services and Special Education. The liaison must assist homeless children and youth, as described within the administrative regulations, in the placement/enrollment decisions, considering the youth's wishes and provide notice of appeal under the Act's enrollment disputes provisions. The liaison shall also participate in State provided professional development programs for local liaisons.

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or

2. pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop regulations, to ensure compliance with applicable statutes in the implementation of this policy.

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters. (as amended by PA 17-194)

17a 101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order.

17a 103 Reports by others.

17a 106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b 120 Definitions.

PA 17-194 An Act Concerning Access to Student Records for Certain Unaccompanied Youths.

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. Implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

POLICY ADOPTED: January 14, 2003
REVISED: January 13, 2015
REVISED: September 4, 2018
REVISED: January 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5118.1R

STUDENTS

ADMINISTRATIVE REGULATIONS REGARDING HOMELESS CHILDREN AND YOUTH

In accordance with federal law, the Colchester Board of Education does not permit discrimination against, segregation of, or stigmatization of, homeless children and youth. The following sets forth the procedures to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these regulations with respect to homeless children and youth, the provisions of law shall control.

I. Definitions:

A. **Enroll and Enrollment:** includes attending classes and participating fully in school activities.

B. **Homeless Children and Youth:** means children and youth twenty-one (21) years of age and younger who lack a fixed, regular, and adequate nighttime residence, including children and youth who:

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

2. Are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations.

3. Are living in emergency or transitional shelters.

4. Are abandoned in hospitals.

5. Are awaiting foster care placement.

6. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

7. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

8. Are migratory children living in the above described circumstances.

C. **School of Origin:** means the school that a homeless child or youth attended when permanently housed or the school in which the homeless child was last enrolled.

D. **Unaccompanied Youth:** means a youth not in the physical custody of a parent or guardian.

II. Homeless Liaison:

A. The District's Homeless Liaison is the Director of Pupil Services and Special Education, 860-537-3103.

B. The duties of the Homeless Liaison include:

1. Ensuring that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies.

2. Ensuring that homeless children and youth enroll in, and have full and equal opportunity to succeed in, the District's schools.

3. Ensuring that homeless families, children, and youths receive educational services for which such families, children and youth are eligible.

4. Ensuring that parents and guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.

5. Ensuring that public notice of the educational rights of homeless children and youth is disseminated in places in which these children and youth receive services under the McKinney-Vento Act.

6. Ensuring that enrollment disputes are mediated in accordance with the McKinney-Vento Act.

7. Ensuring that parent(s)/guardian(s) of homeless children and youth or unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing those services.

8. Assisting homeless children and youth in enrolling in school and accessing school services.

9. Informing parent(s)/guardian(s) of homeless children and youth, school personnel, and others of the rights of such children and youth.

10. Assisting homeless children and youth who do not have immunizations or immunization/medical records to obtain necessary immunizations or immunization/medical records.

11. Assisting unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of his or her right to appeal such decisions.

12. Ensuring that homeless children and youth and unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over enrollment or placement.

13. Collaborating and coordinating with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.

III. Enrollment of Homeless Children and Youth:

A. Enrollment of homeless children and youth may not be denied or delayed due to the lack of any document normally required for enrollment. However, administrators shall require the parent/guardian to provide contact information prior to enrollment.

B. To facilitate enrollment administrators:

1. May permit parents/guardians of homeless children and youth to sign affidavits of residency to replace typical proof of residency.

2. May permit unaccompanied youth to enroll with affidavits to replace typical proof of guardianship.

3. Shall refer parent/guardian/unaccompanied youth to the Liaison who will assist in obtaining immunizations.

4. Shall contact previous schools for records and assistance with placement decisions.

5. Shall maintain records so that the records are available in a timely fashion when the student enters a new school or school district.

IV. School Selection:

A. Standards for School Selection:

1. The District is required to make a determination as to the best interests of a homeless child or youth in making a determination as to the appropriate school of placement.

2. In making such a determination, the District is required to keep a homeless child or youth in his/her school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the child or youth is actually living are eligible to attend.

B. Procedures for Review of School Selection Recommendation:

1. The Principal or his/her designee of the school in which enrollment is sought review an enrollment request in accordance with the standards discussed above, and shall make an initial recommendation regarding same. If the Principal or his/her designee's recommendation is to select a placement other than the school desired by the parent(s) or guardian(s) of the homeless child or youth or the unaccompanied youth, then the Principal or his/her designee shall refer the matter to the Superintendent or his/her designee for review of the recommendation and the reasons therefor, and shall notify the District's Homeless Liaison of same.

2. The Superintendent or his/her designee shall review the matter and consult with the District Homeless Liaison concerning same. If the Superintendent or his/her designee agrees with the recommendation of the Principal or his/her designee, and a dispute remains between the District and the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth about a school selection and/or enrollment decision; the Superintendent or his/her designee shall provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a written explanation of the District's decision regarding this matter, and the right to appeal such decision to the Board of Education.

C. Dispute Resolution Process:

1. The District's Homeless Liaison shall be responsible for promoting objective and expeditious dispute resolutions, and adherence to these administrative regulations.

2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.

3. If necessary, the District Homeless Liaison shall assist parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board of Education, and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Section 10-186(b).

4. Within ten (10) days of receipt of an appeal to the Board of Education by a parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth, the District shall hold a hearing before the Board of Education concerning such appeal, and such hearing shall be shall be conducted in accordance with Section 10-186(b).

5. If the Board of Education finds in favor of the Superintendent or his/her designee, a parent or guardian of a homeless child or youth or unaccompanied youth may appeal the Board of Education's decision to the State Board of Education within twenty (20) days of receipt of the Board of Education's written decision, in accordance with Section 10-186(b). If necessary, the District Homeless Liaison shall assist a parent or guardian of a homeless child or youth or unaccompanied youth with filing the necessary appeal paperwork to the State Board of Education. The homeless child or youth or unaccompanied youth shall remain in his or her school of origin pending the determination of the appeal.

V. <u>Services</u>:

A. Homeless children and youth shall be provided with services comparable to those offered other students in the selected school including:

1. Title I services or similar state or local programs, educational programs for students with disabilities, programs for students with limited English proficiency, and preschool programs.

2. Transportation services.

3. Vocational and technical education.

4. Programs for gifted and talented students.

5. School nutrition programs.

6. Before and after school programs.

B. The District shall coordinate with local social service agencies, other service providers, housing assistance providers and other school districts to ensure that homeless children and youth have access and reasonable proximity to available education and support services.

VI. Transportation:

A. The District shall provide transportation comparable to that available to other students.

B. Transportation shall be provided, at a parent or guardian's request, to and from the school of origin for a homeless child or youth. Transportation shall be provided for the entire time the child or youth is homeless and until the end of any academic year in which they move into permanent housing. Transportation to the school of origin shall also be provided during pending disputes. The Liaison shall request transportation to and from the school of origin for an unaccompanied youth. Parents and unaccompanied youth shall be informed of this right to transportation before they select a school for attendance.

C. To comply with these requirements:

1. Parents/guardians, schools, and liaisons shall use the district transportation form to process transportation requests.

2. If the homeless child or youth is living and attending school in this District, the District shall arrange transportation.

3. If the homeless child or youth is living in this District but attending school in another, or attending school in this District and living in another, the District will follow the inter-district transportation agreement to determine the responsibility and costs for such

transportation. If there is no inter-district transportation agreement, the District shall confer with the other school district's Homeless Liaison to determine an apportionment of the responsibility and costs.

4. If no mutually agreeable arrangement can be reached, then the District shall:

   (a) arrange transportation immediately;

   (b) bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth; and

   (c) shall ensure that such disputes do not interfere with the homeless child or youth attending school.

VII. Contact Information

A. Local Contact: for further information, contact:

Director of Pupil Services and Special Education
860-537-3103

B. State Contact: for further information or technical assistance, contact:

Louis Tallarita, State Coordinator
Connecticut Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(860) 807-2058

Legal References:

State Law:

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq.

Regulation Adopted: January 13, 2015
Regulation Revised: December 11, 2018
NSC

DISPUTE RESOLUTION PROCESS
UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186

(1) If any board of education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor or a pupil eighteen years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the board of education. The board of education may

(A) conduct the hearing,

(B) designate a subcommittee of the board composed of three board members to conduct the hearing, or

(C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The board, subcommittee, or local impartial hearing board shall give such person a hearing within ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor eighteen years or older who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor or pupil eighteen years of age or older, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

(2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional

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board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

(3) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which require an extension.

(4) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious, or unreasonable. If such school officers fail to take action upon such order in any case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school

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accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.

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5118.1R
APPENDIX B

SAMPLE WRITTEN NOTIFICATION OF ENROLLMENT DECISION

[Month] __, 200_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]
[Insert Home Address]

Re: Notification of Enrollment Decision

Dear [Parent/Guardian]:

After reviewing your request to enroll the student(s) listed above [name(s)], the enrollment request is denied. This determination is based upon the following factors:

[List factors]

Under the McKinney-Vento Homeless Education Assistance Act, you have the right to appeal this decision by completing the form attached to this notice or by contacting the school district's homeless education liaison:

[Name of Liaison], [Title]
[Telephone No.]

In addition, the student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense. You may contact the state coordinator for homeless education:

Louis Tallarita, State Coordinator
State Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(860) 807-2058

A copy of the dispute resolution process under section 10-186 is attached to this notice. Please contact the District Liaison listed above if you have any questions.

Sincerely,

[Name]
Superintendent of Schools

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

5118.1R
APPENDIX C

SAMPLE NOTIFICATION OF DECISION
TO APPEAL EDUCATIONAL PLACEMENT

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District Liaison.

Person completing form: _____

Relation to Student: _____

Contact Information: _____

_____

_____

I am requesting a Board of Education Hearing under Section 10-186 of the Connecticut General Statutes to appeal the enrollment decision made by [Name of District], [Name of School]. I have been provided with a written explanation of the District's decision, contact information for the District's homeless education liaison, and a copy of the Dispute Resolution Process under Connecticut General Statutes Section 10-186.

_____ _____
Name Date

Optional. You may also include a written explanation to support your appeal in the space below or provide your explanation verbally to the District Liaison.

5118.1R
APPENDIX D

SAMPLE NOTIFICATION OF HEARING
REGARDING ENROLLMENT DISPUTE

[Month] __, 200_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]
[Insert Home Address]

Re: Educational Placement

Dear [Name of Parent]:

You have requested a hearing before the Colchester Board of Education regarding the educational placement of your child(ren), [insert name(s) of student(s)] at [name of school]. The Colchester Board of Education will conduct a hearing regarding your claim on [date] at [time]. The hearing will be held at the offices of the [town] Board of Education, which are located at [insert address].

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board of Education will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire.

Please contact the District Liaison, the Director of Pupil Services and Special Education, if you have any questions.

Sincerely,

[Name]
Superintendent of Schools

Cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

5118.1R
APPENDIX E

STUDENT RESIDENCY AFFIDAVIT

Colchester Public Schools

Name of student: _____ Birthdate: _____

Name and Location of School Last Attended:
_____

I, _____ declare and affirm as follows:

I am of legal age and believe in the obligations of an oath.

I am the parent/legal guardian/caregiver of _____ (name of student) who is of school age and is seeking admission to Colchester Public Schools.

Since _____(date), _____ (name of student) has not had a permanent home. However, he/she has been residing within the school district boundaries and intends to stay here. He/she is currently staying at _____ (address).
This location is:

___ a shelter
___ a motel/hotel
___ a campsite
___ shared housing with other persons
___ other _____

I regularly receive my mail at: _____.
I am currently living at the following address: _____.
I can be reached at the following telephone number: _____. I can be reached for emergencies at: _____.

I declare under penalty of perjury under the laws of Connecticut that the information provided is true and correct and of my own personal knowledge.

AFFIANT,

_____
Signature of Affiant

_____
Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

_____
NOTARY PUBLIC

5118.1R
APPENDIX F

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION

Colchester Public Schools

I, _____, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding [name of student's] missing enrollment documentation for the following:

___ Proof of residency
___ Proof of guardianship
___ Proof of identity
___ Birth Certificate
___ Immunization Record
___ School Health Record
___ School Records

I am of legal age and believe in the obligations of an oath.

I am unable to present a copy of the document(s) requested above for the following reasons:

_____

_____

_____

The name and location of the last school the student attended is

_____.

I understand that I must obtain the necessary immunization and health records and provide a copy to the District.

AFFIANT,

_____
Signature of Affiant

_____
Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

_____
NOTARY PUBLIC

Colchester Public Schools

5119P

STUDENTS

STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY

Computers, computer networks, electronic devices, Internet access, and e-mail are effective and important technological resources. The Board of Education provides computers, a computer network, including Internet access and an e-mail system, as well as other electronic devices that access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing etc. (including, but not limited to, laptops, Kindles, radios, I-Pads or other tablet computers), referred to collectively as "the computer systems", in order to enhance both the educational opportunities for our students and the business operations of the district.

These computer systems are business and educational tools. As such, they are made available to students in the district for education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students solely for education related purposes. The Board will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Additionally, the Board will implement a technology protection measure to block or filter Internet access to visual depictions that contain obscene material, contain child pornography, or are harmful to minors and ensure that such filtering technology is operative during computer use by minor students.

As the owner of the computer systems, the Board reserves the right to monitor the use of the district's computers and computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250

Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18 U.S.C. §§ 2510 through 2520

Children's Internet Protection Act, Pub. L. 106-554, codified at 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. § 254(h)(5)(B)(iii)

ADOPTED: December 8, 1998
REVISED: May 10, 2005
REVISED: March 11, 2008
REVISED: June 8, 2010
REVISED: April 8, 2014
REVISED: December 8, 2015 (Replaces Policy #6141.321)
REVISED: February 13, 2019

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5119R

STUDENTS

ADMINISTRATIVE REGULATIONS REGARDING STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY

1. Introduction

We are pleased to offer students access to the district's computers and computer networks, including access to electronic mail (e-mail) and the Internet, as well as electronic devices, (all of which will be referred to collectively as "computer systems".) Access to the school's computer systems will enable students to explore libraries, databases, and bulletin boards while exchanging messages with others. Such access is provided solely for education-related purposes. Use of the district's computer systems will be allowed only for students who act in a considerate and responsible manner in using such systems.

The Board of Education and the Administration believe in the educational value of such computer systems and recognize their potential to support our curriculum by expanding resources available for staff and student use. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

These computer systems are expensive to purchase, install and maintain. As the property of the district these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, *access to the computer systems is a privilege, and not a right.* Students will be required to adhere to a set of policies and procedures, as set forth in detail below. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

2. Definitions

Obscene – means any material or performance if, a) taken as a whole, it predominantly appeals to the prurient interest, b) it depicts or describes in a patently offensive way a prohibited sex act and c) taken as a whole, does not have serious literary, artistic, political or scientific value. For the purposes of this section, "prohibited sex act" means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

Child pornography –means any visual depiction, including any photograph, film, video, picture, cartoon, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where: the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct; or such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Harmful to minors – any picture, image, graphic image file, or other visual depiction that: taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

3. **Monitoring**

Students are responsible for good behavior on school computer systems just as they are in a classroom or a school hallway. Communications on the computer systems are often public in nature and general school rules for behavior and communications apply. It is expected that users will comply with district standards and will act in a responsible and legal manner, at all times in accordance with district standards, as well as with state and federal laws.

It is important that students and parents understand that the district, *as the owner of the computer systems, reserves the right to monitor and review* the use of these computer systems. The district intends to monitor and review in a limited fashion, but will do so as needed to ensure that the systems are being used for district-related educational purposes.

As part of the monitoring and reviewing process, the district will retain the capacity to bypass any individual password of a student or other user. *The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes*. The district's ability to monitor and review is not restricted or neutralized by these devices. The monitoring and reviewing process also includes, but is not limited to; oversight of Internet site access, the right to review emails sent and received, the right to track students' access to blogs, electronic bulletin boards and chat rooms, and the right to review a student's document downloading and printing.

Therefore, all users must be aware that *they should not have any expectation of personal privacy in the use of these computer systems.*

4. **Student Conduct**

Students are permitted to use the district's computer systems for legitimate educational purposes. Personal use of district computer systems is expressly prohibited. Conduct which constitutes inappropriate use includes, but is not limited to the following:

- Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to computer systems;
- Damaging computers, computer files, computer systems or computer networks;
- Downloading or modifying computer software of the district in violation of the district's licensure agreement(s) and/or without authorization from a teacher or administrator;
- Using another person's password under any circumstances;
- Trespassing in or tampering with any other person's folders, work or files;
- Sending any message that breaches the district's confidentiality requirements, or the confidentiality of students;
- Sending any copyrighted material over the system;
- Using computer systems for any personal purpose, or in a manner that interferes with the district's educational programs;
- Accessing or attempting to access any material that is obscene, contains child pornography, or is harmful to minors, as defined above;
- Transmitting or receiving e-mail communications or accessing information on the Internet for non-educational purposes;
- Cyberbullying;
- Accessing or attempting to access social networking sites (e.g. Facebook, Twitter, MySpace, etc.) without a legitimate educational purpose.

In addition, as noted above, if a particular behavior or activity is generally prohibited by law, by Board policy or by school rules or regulations, use of these computer systems for the purpose of carrying out such behavior or activity is also prohibited.

Misuse of the computer systems, or violations of these policies and regulations, may result in loss of access to such computer systems as well as other disciplinary action, including suspension and/or expulsion, depending on the specific conduct.

Anyone who is aware of problems with, or misuse of these computer systems, or has a question regarding the proper use of these computer systems, should report this to his or her teacher or principal immediately. Most importantly, the Board and the Administration urge *any* student who receives *any* harassing, threatening, intimidating or other improper message through the computer system to report this immediately. It

is the Board's policy that no student should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

5. Internet Safety

The Administration will take measures: to assure the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications; to prohibit unauthorized access, including "hacking" and other unlawful activities by minors online; to prohibit unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; to educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response; and to restrict students' access to online materials harmful to minors, including obscene materials and child pornography.

6. Student Use Agreement

Before being allowed to use the district's computer systems, students and/or their parents/guardians must sign a computer system use agreement, stating that they have read and understood the district's policies and regulations regarding the use of its computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et. seq*. (computer-related offenses)

Conn. Gen. Stat. § 53a-193 (definition of obscene)

18 U.S.C. § 2256 (definition of child pornography)

Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18 U.S.C. §§ 2510 through 2520

Children's Internet Protection Act, Pub. Law 106-554, codified at 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. § 254(h)(5)(B)(iii)

Miller v. California, 413 U.S. 15 (1973) (definition of obscene)

ADOPTED:	June 19, 2007
REVISED:	March 11, 2008
REVISED:	April 8, 2014
REVISED:	December 8, 2015 (Replaces Regulation #6141.321)
REVISED:	February 13, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5123P

STUDENT

PROMOTION/RETENTION/ACCELERATION POLICY

Colchester Elementary School and Jack Jackter Intermediate School

Promotion and/or retention in grades K-5 will be based on the individual child's ability to successfully complete the required work of the succeeding grade. Each individual student's promotion/retention will be judged on its own merits. In kindergarten, more emphasis will be placed on the maturational and developmental readiness necessary for success in grade 1. In grades 1-5, criteria for promotion will include, but not be limited to the following:

1. Teacher/specialist recommendation
2. Educational progress
3. Other assessment data
4. Attendance

Promotion/retention of special education students will be decided on an individual basis, but may be affected by Pupil Placement Team decisions.

Acceleration of students may be provided. Decisions to accelerate a child's program will be based on, but not be limited to the following:

1. Specialist input
2. Teacher input
3. Student progress/needs
4. Parent input
5. Test scores or data

Each case will be judged on its own merits and programs designed individually to meet student needs.

Promotion/retention, acceleration and grade placements, although every effort is made to secure the understanding and cooperation of parent/guardians, is the decision of the Principal following consultation with the Superintendent if necessary.

William J. Johnston Middle School

To be **promoted**, a student may not fail more than one major subject. A major subject is defined as a course that meets daily for the full year. In the area of applied academics, two semester courses, three trimester courses or four quarterly courses are the equivalent of one major subject.

Any student who fails to meet these criteria will be **retained** unless they successfully complete a thirty-hour summer school or tutoring program.

Acceleration of students may be provided. Decisions to accelerate a student's program will be based on, but not limited to the following:

1. Teacher input
2. Parent input
3. Student progress/needs
4. Test scores and other applicable data

Each case will be judged on its own merit and programs will be designed to meet the individual needs of the students.

Bacon Academy

Grade placement requirements at Bacon Academy are as follows:

To Grade 10 6 credits (including grade 9 English & math)

To Grade 11 12 credits (including grade 10 English & math)

To Grade 12 18 credits (including grade 11 English & math)

TO GRADUATION 25 CREDITS

NSC

Regulation approved: March 11, 2003

REVISED: September 4, 2018

5124P

STUDENTS

REPORTING TO PARENTS

Reporting to Parents

The Board of Education encourages good communication between parents and teachers and shall promote frequent and varied reporting of student progress. All forms and methods of communication, such as parent-teacher conferences, mail, telephone, email, on-line parent portal and school visitation by parents will be utilized.

The school district will provide an opportunity for parents/guardians to have one personal conference each fall with teachers and other school personnel. Opportunities also exist for a spring conference, as requested by the teacher and/or the parents/guardians.

POLICY ADOPTED: July 9, 2002
REVISED: September 13, 2011
REVISED: March 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5124R

STUDENTS

REPORTING TO PARENTS - ADMINISTRATIVE REGULATIONS

On-line Parent Portal

The district maintains a secure parent portal integrated with its student information system. The parent portal tool provides parents password-protected access to the following information:

All Students:
- Attendance

PreK-5:
- Homework assignments (posted daily) and completion data (posted weekly).
- Universal Screen/Benchmark Assessment results (each trimester teachers will enter results when assessments have been scored).

Grades 6-12:
- Assignments
- Grades on assignments
- Quiz and test grades
- Project grades
- In all subject areas a minimum of one graded assignment will be posted every two weeks.

Report Card

Written reports on student progress will be issued to parents every marking period. The reporting dates will be determined annually and placed on the school calendar. Parents will be advised no later than March 1st of a student's potential failure and the possibility of having to repeat a grade or a course.

Report cards should reflect the educational growth of the student in relationship to each student's conduct/citizenship, effort, and achievement, in relationship to standards for his/her age and grade.

Teachers also will report on student progress at regularly-scheduled parent conferences.

If the parents of a child are separated or divorced, both have equal rights to be informed of their child's school progress unless there is an order from the court to the contrary. Non-custodial parents shall receive written reports and notification of conferences upon an annual written request to the school principal.

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records
46b-56 Access of records of minor children by noncustodial parent

REGULATION ADOPTED: July 9, 2002
REVISED: September 13, 2011
REVISED: March 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5124.1P

STUDENTS

STUDENT PRIVACY POLICY (PPRA)

In accordance with federal law, the Board of Education adopts, in consultation with parents, the following provisions related to student privacy.

I. Definitions

A. *"Invasive physical examination"* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

B. *"Parent*" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

C. *"Personally identifiable information"* includes, but is not limited to,

1. the student's name;

2. the name of the student's parent or other family members;

3. the address of the student or student's family;

4. a personal identifier, such as the student's social security number, student number, or biometric record;

5. other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

6. information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

D. *"Personal information"* means individually identifiable information including—

1. a student's or parent's first and last name;

2. a home or other physical address (including a street name and the name of a city or town);

3. a telephone number; or

4. a Social Security identification number.

E. *"Survey"* includes an evaluation, but does not include a survey or evaluation administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

II. Student Surveys

A. Surveys Funded in Whole or in Part by the U.S. Department of Education:

1. The administration shall make available for inspection by parents all instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation funded in whole or in part by the U.S. Department of Education.

2. The administration shall obtain the prior written consent of the parent or student (if the student is an adult or an emancipated minor), prior to requiring a student to submit to a survey, analysis, or evaluation funded in whole or part by the U.S. Department of Education that reveals information concerning any of the following topics:

   a. political affiliations or beliefs of the student or the student's parent;

   b. mental or psychological problems of the student or the student's family;

   c. sex behavior or attitudes;

   d. illegal, anti-social, self-incriminating, or demeaning behavior;

   e. critical appraisals of other individuals with whom respondents have close family relationships;

   f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

   g. religious practices, affiliations, or beliefs of the student or of the student's parent; or

   h. income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

3. If a student is not required to submit to a survey, analysis, or evaluation that reveals information concerning any of the topics in Section II.A.2 above, the administration shall provide parents with notice of the district's intent to distribute such survey and, upon written request, shall

permit the parent or student (if an adult or emancipated minor) to opt out of participation.

B. Surveys Funded by Sources Other than the U.S. Department of Education:

1. Third Party Surveys

a. Prior to distributing any third party survey, the administration shall give notice to parents of the district's intent to distribute a survey on behalf of a third party.

b. Upon request, the administration shall permit parents to inspect any third party survey before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the survey within a reasonable period of time after a parental request is received.

c. Student responses to third party surveys that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

2. Confidential Topic Surveys

a. The provisions of this subsection apply to any survey (sponsored by the school district or a third party) which contains questions pertaining to one or more of the following items ("Confidential Topic Surveys"):

i) political affiliations or beliefs of the student or the student's parent,

ii) mental or psychological problems of the student or the student's family,

iii) sex behavior or attitudes,

iv) illegal, anti-social, self-incriminating, or demeaning behavior,

v) critical appraisals of other individuals with whom respondents have close family relationships,

vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,

vii) religious practices, affiliations, or beliefs of the student or of the student's parent,

viii) income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

b. At the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to distribute a Confidential Topic Survey(s). Such notice shall include the specific or approximate dates during the school year of such distribution.

c. Upon request, the administration shall permit parents to inspect any Confidential Topic Survey before it is administered, distributed or used by a school to or with a student. The administration shall grant reasonable access to the Confidential Topic Survey within a reasonable period of time after a parental request is received.

d. Student responses to any Confidential Topic Survey that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

e. Upon written request, the administration shall permit the parent or student (if an adult or emancipated minor) to opt out of participation in any Confidential Topic Survey described in this subparagraph.

III. Collection of Personal Information

A. The provisions of this subsection apply to any instrument designed to collect personal information from a student for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose.

B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or to the students aged eighteen (18) or older or emancipated minors) of the district's intent to collect, disclose or use personal information collected from students for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. Such notice shall include the specific or approximate dates during the school year of such collection, disclosure or use of personal information.

C. Upon written request, the administration shall permit parents to inspect an instrument designed to collect personal information of students before it is

administered or distributed by a school to a student. The administration shall grant reasonable access to the instrument within a reasonable period of time after a parental request is received.

D. Upon written request, the administration shall permit parents (or students aged eighteen (18) or older or emancipated minors) to opt out of participation in the collection, disclosure or use of personal information obtained from students for the purposes of marketing, selling or otherwise distributing the personal information to others for that purpose.

E. The provisions regarding the collection, disclosure and/or use of personal information do not apply to personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

1. college or other post-secondary education recruitment, or military recruitment*;

2. book clubs, magazines, and programs providing access to low-cost literary products;

3. curriculum and instructional materials used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;

5. the sale by students of products or services to raise funds for school-related or education-related activities;

6. student recognition programs.

*Note: Notwithstanding the foregoing, the district will permit parents and students over the age of eighteen (18) or emancipated minors to prevent disclosure of secondary school students' names, addresses and telephone numbers to military recruiters and institutions of higher education, in accordance with the district's Confidentiality and Access to Student Records Policy.

IV. Non-Emergency Invasive Physical Examinations and Screenings:

A. The provisions described in this subparagraph shall apply to any non-emergency, invasive physical examinations/screenings conducted by the school district, when such examinations/screenings meet the following conditions:

1. they are required as a condition of attendance;

2. they are administered by the school and scheduled by the school in advance;

3. they are not necessary to protect the immediate health and safety of the students; and

4. they are not required by state law.

B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or the affected student if eighteen (18) or older or an emancipated minor) of the district's intent to conduct non-emergency invasive physical examination(s)/ screening(s) described above, except for hearing, vision or scoliosis screenings. Such notice shall include the specific or approximate dates during the school year of the administration of such the non-emergency invasive physical examination(s) / screening(s).

C. Upon written request, the administration shall permit parents of affected students or the affected students (if adults or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

V. Complaint Procedure

Parents or students (if adults or emancipated minors) who believe that their rights under this policy have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

Legal References:

Family Educational Rights and Privacy Act (FERPA), codified at 20 U.S.C. § 1232g; 34 CFR Part 99

Protection of Pupil Rights Amendment, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h

UNITED STATES DEPARTMENT OF EDUCATION, STUDENT PRIVACY POLICY OFFICE, Protection of Pupil Rights Amendment (PPRA), SPPO-21-01 (issued November 24, 2020), available at: https://studentprivacy.ed.gov/sites/default/files/resource_document/file/20-0379.PPRA_508_0.pdf.

POLICY ADOPTED: November 15, 2016
POLICY REVISED: June 21, 2021
POLICY REVISED: November 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Notification of Rights Under the Protection of Pupil Rights Amendment ("PPRA")

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, affords parents and eligible students (*i.e*. students over 18 or emancipated minors) certain rights with respect to the administration of student surveys, the collection and use of personal information, and the administration of certain physical exams. These rights include:

1. the right of a parent to inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student;

2. the right of a parent to inspect, upon request, any survey concerning one or more of the following confidential topics:

    a. political affiliations or beliefs of the student or the student's parent;
    b. mental or psychological problems of the student or the student's family;
    c. sex behavior or attitudes;
    d. illegal, anti-social, self-incriminating, or demeaning behavior;
    e. critical appraisals of other individuals with whom respondents have close family relationships;
    f. legally recognized privileged relationships, such as those with lawyers, doctors, physicians, or ministers;
    g. religious practices, affiliations, or beliefs of the student or the student's parent; or
    h. income, other than as required by law to determine eligibility for certain programs or for receiving financial assistance under such programs;

3. the right of a parent to consent before a student is required to submit to a survey that concerns one or more of the confidential topics (see #2, above, a-h) if the survey is funded in whole or in part by a program of the U.S. Department of Education;

4. the right of a parent to inspect, upon request, any instructional material used as part of the educational curriculum. Instructional material means any instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet) but does not include academic tests or academic assessments;

5. the right of a parent to inspect, upon request, any instrument used in the collection of personal information from students gathered for the purpose of marketing, selling or otherwise providing that information to others for that purpose. Personal information means individually identifiable information including, a student or parent's first and last name, a home or other physical address; a telephone number or a social security number;

6. the right of a parent whose student(s) is scheduled to participate in the specific activities provided below to be directly notified of the specific or approximate dates of the following activities, as well as the right of a parent or eligible student to opt-out of participation in these activities:

    a. activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information (or otherwise providing that information to others for that purpose);
    b. the administration of any survey containing confidential topics (see #2, above, a-h); or
    c. any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, scheduled by the school in advance, and unnecessary to protect the immediate health and safety of a student. Such examinations do not include a hearing, vision, or scoliosis screening or other examinations permitted or required by State law.

Parents and eligible students may not opt-out of activities relating to the collection, disclosure, and/or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing education products or services for, or to students or educational institutions, such as the following:

a. college or other post-secondary education recruitment, or military recruitment;
b. book clubs, magazines, and programs providing access to low-cost literary products;
c. curriculum and instructional materials used by elementary and secondary schools;
d. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
e. the sale by students of products or services to raise funds for school-related or education-related activities; and
f. student recognition programs.

To protect student privacy in compliance with the PPRA, the Colchester Public Schools District has adopted policies regarding these rights. Parents and/or eligible students who believe their rights have been violated under the PPRA may contact:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS (FERPA) POLICY

I. POLICY

The Board of Education ("Board") complies with the state and federal laws and regulations regarding confidentiality, access to and amendment of education records. The Board shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance.

II. DEFINITIONS

A. Access is defined as the right to inspect or review a student's education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.

B. Authorized representative means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs-- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

C. Biometric record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.

D. De-identified education records means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

E. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the parent's name, address and/or e-mail address; the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance,

degrees, honors and awards received, the most recent previous school(s) attended, and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data. Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

F. Disciplinary action or proceeding means the investigation, adjudication or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of internal rules of conduct applicable to students.

G. Disclosure means to permit access to or to release, transfer, or other communication of personally identifiable information as contained in education records by any means, including oral, written or electronic means, to any party except the party identified as the party that provided or created the record.

H. Education Records

1. Education records means any information directly related to a student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.

2. Education records do not include:

a) private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";

b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;

c) employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose;

d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional

capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;

e) records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and

f) grades on peer-graded papers before they are collected and recorded by a teacher.

I. Eligible Student is a student or former student who has reached 18 years of age or is attending an institution of post-secondary education or is an emancipated minor.

J. Legitimate Educational Interest means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.

K. Parent is defined as a parent or parents of a student, including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to access to the student's education records without the eligible student's consent.

L. Personally Identifiable Information includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

M. School Official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, consultant, therapist, or school resource officer); or a parent or student serving on an official committee,

such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

N. Signed and Dated Written Consent to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION

A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the District and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.

B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as **directory information**. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

C. In the annual notification, the school district will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters, institutions of higher education, or school choice programs, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

IV. CONFIDENTIALITY OF EDUCATION RECORDS

A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.

B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.

C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.

D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.

E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.

V. ACCESS TO EDUCATION RECORDS

A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.

B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.

C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.

D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.

E. For the records of **regular education students**, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.

F. For **students requiring special education**, the Board will comply with a request to review and inspect the child's education records without unnecessary delay and

before any meeting regarding an IEP or any due process hearing or resolution session held in accordance with the IDEA; otherwise, the Board will comply with such request not later than ten (10) school days of such request.

G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive **one free copy** of their child's (his/her) education records. The request for the free copy must be in writing and the Board will comply with the written request within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the board of education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's education records **only if** they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties, may only be made in accordance with the exemptions and provisions set forth in Section VII, below.

I. Pursuant to the procedures set forth in Section VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

J. Non-custodial Parents:

A parent does not lose his or her right to access to education records upon divorce. Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

K. Copies of Education Records/Fees:

1) The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents'

(or eligible student's) right to inspect and review the child's records shall include the right to receive **one free copy** of those records. The request for the free copy shall be made in writing. The board of education shall comply with such request as stated above. The Board reserves the right to charge for copies of a student's education records. Such charge will not exceed 50¢ per page.

2) In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:

a. provide the parent or eligible student with a copy of the records requested, or

b. make other arrangements for the parent or eligible student to inspect and review the requested records.

VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO EDUCATION RECORDS

A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.

B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the education records of each student, including information found in computer memory banks. The record log shall contain:

1) the name of any individual, agency, or organization that requested or obtained access to the student's records;

2) the date of the request for access;

3) whether access was given;

4) the purpose for which the party was granted access to the records;

5) the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and

6) the legitimate educational interest in obtaining the information.

C. The record (log) requirement does not apply to requests from, or disclosure to:

1) a parent or eligible student;

2) a party seeking directory information;

3) a party who has a signed and dated written consent from the parent and/or eligible student;

4) school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or

5) persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

D. The record (log) is a permanent part of the student's education records and must be available to the parent or eligible student upon request.

E. If the district makes a release of education records without consent in **a health and safety emergency**, the district must record:

1) the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and

2) the parties to whom the district disclosed the information.

VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION

A. The school system or its designated agent(s) may not permit release of education records or any information from such records which contains personally identifiable student information to any outside individual, agency, or organization without the signed and dated written consent of the parents or eligible student, except as indicated in Section VII.C below. Personally identifiable information contained in the education record, other than directory information, will not be furnished in any form (i.e., written, taped, person-to-person, statement over the telephone, on computer disk, e-mailed, etc.) to any person other than those listed below, unless prior written consent has been obtained.

B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.

C. Personally identifiable information may be released **without consent** of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:

1. The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.

2. The disclosure is to a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions, provided that the outside party (a) performs an institutional service or function for which the district would otherwise use employees, (b) is under the direct control of the district with respect to the use and maintenance of education records, and is subject to the requirements of FERPA with respect to the use and redisclosure of personally identifiable information from education records. The Board shall comply with Subsection I of this policy prior to the provision of student records, student information or student-generated content to a consultant or operator, as those terms are defined in Subsection I.

3. Transfer Students:

   a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.

   b) When a student enrolls in a new public school district (including public charter school), the receiving school district must send written notice of such enrollment to the school the student previously attended not later than two (2) business days after the student enrolls. Not later than ten (10) days after receipt of such notice, the sending school shall transfer the student's records to the new school district.

   c) Upon notification by the Department of Children and Families of a decision to change the school placement for a student attending district schools who is placed in out-of-home care by DCF pursuant to an order of temporary custody or an order of commitment, in accordance with section 46b-129 of the Connecticut General Statutes, the Board shall transmit to the receiving school, not later than one (1) business day after receipt of such notification from DCF, all essential education records for the student, including, but not limited to, the student's individualized education program ("IEP") and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to

provide educational services. The Board shall transfer nonessential records to the receiving school in accordance with subsection b) above.

4. The disclosure is to authorized representatives of the U.S. Comptroller, the U.S. Attorney General, the U.S. Secretary of Education, or State or local educational authorities. Disclosures of this nature may be made only in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with the Federal legal requirements that related to these programs, so long as the district enters into a written agreement with the authorized representatives conducting the audit or evaluation, which agreement must comply with 34 C.F.R. 99.35(a)(3) and require that the authorized representative protects the confidentiality of personally identifiable student information consistent with FERPA requirements. Such entities may make further disclosure of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

5. The disclosure is made in connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.

6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under State law. Disclosure shall be permitted for information relating to the student's school attendance, adjustment and behavior, as well as the student's IEP and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student's probation.

7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as (a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization, (b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and (c) the district enters into a written agreement with the organization conducting the study that ensures that the study protects the confidentiality of personally identifiable student information consistent with FERPA requirements.

8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.

9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.

10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with (a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.

11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.

12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.

14. The disclosure is to the parent of a student who is under 18 years of age or to the student.

15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.

16. The disclosure is to the Secretary of Agriculture or an authorized representative from the Food and Nutrition Service, or contractors acting on its behalf, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more federal meal or nutrition programs in order to report aggregate results that do not identify any individual. Such disclosures may only be made if (1) the data collected will be protected to prevent the personal identification of students and their parents by other than the authorized representatives of the Secretary of Agriculture, and (2) any personally identifiable data will be destroyed when they are no longer needed for program monitoring, evaluations, and performance measurements.

17. The disclosure is to an agency caseworker or other representative of the Department of Children and Families ("DCF") or other child welfare agency or tribal organization who has the right to access a student's case plan when the agency or organization is legally responsible for the care and protection of the student. The agency or organization may not disclose the education records or personally identifiable information contained in such, except to an individual or entity engaged in addressing the student's educational needs and authorized by the agency or organization to receive such disclosure. Any disclosures made by the agency or organization must comply with applicable confidentiality laws for student education records.

D. **Directory Information**

The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

1. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure

in writing. Such objection must be in writing and shall be effective for one school year.

2. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

3. The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

4. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

5. The school district will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

E. **De-identified Records and Information**

1. The school district may release education records or information from education records without the consent of a parent or eligible student after the removal of all personally identifiable information, provided that the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

   a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;

   b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and

cannot be used to ascertain personally identifiable information about a student; and

c) the record code is not based on a student's social security number or other personal information.

F. **Disciplinary Records**:

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.

G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.

H. **Records of the Department of Children and Families ("DCF")**

1. Documents related to any DCF child abuse and/or neglect investigations that are maintained by the Board are considered education records under the FERPA. As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records, including records of allegations, investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.

2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.

I. The Board shall enter into a written contract with a consultant or operator any time the Board shares or provides access to student information, student records, or student-generated content with such consultant or operator. This contracting requirement applies to any contract entered into, amended or renewed on or after **October 1, 2016**.

1. The provisions of said contract shall comply with the requirements of Public Act 16-189.

2. Not later than five (5) business days after executing a contract pursuant to this subsection, the Board shall provide electronic notice to any student and the parent or legal guardian of the student affected by the contract. Such notice and the contract shall be posted on the Board's Internet web site. The notice shall:

   a. Explain that the contract has been executed and the date that such contract was executed;

   b. Provide a brief description of the contract and the purpose of the contract; and

   c. Explain what student information, student records or student-generated content may be collected as a result of the contract.

3. For purposes of this subsection, upon receipt of notice of a breach of security that results in the unauthorized release, disclosure or acquisition of directory information, student information, student records or student-generated content, the Board shall electronically notify, not later than forty-eight (48) hours after receipt of such notice, the student and the parents or guardians of the student whose information is involved in such breach. The Board shall thereafter post notice of such breach on the Board's Internet web site. The Internet posting shall comply with the requirements of FERPA. All questions and concerns relative to breach of security shall be referred to **Superintendent of Schools, 127 Norwich Avenue, Suite 202, Colchester, CT 06415, 860-537-7208**.

4. For purposes of this subsection, the following definitions are applicable:

   a. Consultant means a professional who provides noninstructional services, including but not limited to, administrative, planning, analysis, statistical or research services, to the Board pursuant to a contract with the Board.

   b. Operator means any person who (a) operates an Internet web site, online service or mobile application with actual knowledge that such Internet web site, online service or mobile application is used for school purposes and was designed and marketed for school purposes, to the extent it is engaged in the operation of such Internet web site,

online service or mobile application, and (b) collects, maintains or uses student information.

c. School Purposes means purposes that customarily take place at the direction of a teacher or the Board, or aid in the administration of school activities, including but not limited to instruction in the classroom, administrative activities and collaboration among students, school personnel or parents or legal guardians of students.

d. Student means a person who is a resident of the state and (a) enrolled in a preschool program participating in the state-wide public school information system, pursuant to Conn. Gen. Stat. 10-10a; (b) enrolled in grades kindergarten to twelve, inclusive, in a school under the jurisdiction of the Board; (c) receiving special education and related services under an individualized education program; or (d) otherwise the responsibility of the Board.

e. Student Information means personally identifiable information or material of a student in any media or format this is not publicly available and is any of the following:

1) Created or provided by a student or the parent or legal guardian of a student, to the operator in the course of the student, parent or legal guardian using the operator's Internet web site, online service or mobile application for school purposes;

2) Created or provided by an employee or agent of the Board to an operator for school purposes;

3) Gathered by an operator through the operation of the operator's Internet web site, online service or mobile application and identifies a student, including but not limited to, information in the student's records or electronic mail account, first or last name, home address, telephone number, date of birth, electronic mail address, discipline records, test results, grades, evaluations, criminal records, medical records, health records, Social Security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious affiliations, text messages, documents, student identifiers, search activity, photographs, voice recordings, survey responses or behavioral assessments.

f. Student Record means any information directly related to a student that is maintained by the Board or any information acquired from a student through the use of educational software assigned to the student by a teacher or employee of the Board, except student record does not include de-identified student information allowed under the contract to be used by the consultant or operator to:

1) Improve educational products for adaptive learning purposes and customize student learning;

2) Demonstrate the effectiveness of the contractor's products in the marketing of such products; and

3) Develop and improve the consultant's or operator's products and services.

VIII. REDISCLOSURE OF EDUCATION RECORDS

A. The school district may disclose personally identifiable information from an education record only on the conditions that:

1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and

2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.

B. Notwithstanding the provisions of Section A. above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C. above, and at least one of the following conditions is met.

1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.

2. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).

3. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.

4. The information is considered directory information.

C. In the event that the Family Policy Compliance Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

IX. AMENDMENT OF EDUCATION RECORDS

A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or in violation of the student's right to privacy, he/she is entitled to:

1. Request in writing that the school district amend the records;

2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendment(s) requested by the parent or eligible student.

B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent or eligible student of the amendment.

C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

X. HEARING RIGHTS AND PROCEDURES

A. Rights

1. Upon written request of a parent or eligible student to the Superintendent, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.

2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.

3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.

   a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.

   b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.

2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.

3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.

4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.

5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. WAIVER OF RIGHTS

A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:

1. The student is notified, upon request, of the names of all individuals providing the letters or statements.

2. The letters or statements are used only for the purpose for which they were originally intended.

3. The waiver is not required by the district as a condition of admission to or receipt of any other service or benefit from the district.

4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.

B. A waiver may be revoked with respect to any actions occurring after the revocation.

C. Revocation of a waiver must be in writing.

XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION

A. The following definitions shall apply to Section XII of this policy:

1. Confidential HIV-Related Information

"Confidential HIV-related information" means any information pertaining to the protected individual or obtained pursuant to a release of confidential HIV-related information, concerning whether a person has been counseled regarding HIV infection, has been the subject of an HIV-related test, or has HIV infection, HIV-related illness or AIDS, or information which identifies or reasonably could identify a person as having one or more of such conditions, including information pertaining to such individual's partners.

2. Health Care Provider

"Health Care Provider" means any physician, dentist, nurse, provider of services for the mentally ill or persons with intellectual disabilities, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including such services associated with, or under contract to, a health maintenance organization or medical services plan.

3. Protected Individual

"Protected individual" means a person who has been counseled regarding HIV infection, is the subject of an HIV-related test or who has been diagnosed as having HIV infection, AIDS or HIV-related illness.

4. Release of confidential HIV-related information

"Release of confidential HIV-related information" means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School Medical Personnel

"School medical personnel" means an employee of the Board who is a school nurse or the school district medical adviser.

B. Confidentiality of HIV-related Information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or redisclosure.

2. Confidential HIV-related information is not public information and any disclosure, other than to persons pursuant to a legally sufficient release or to persons authorized by law to receive such information without a legally sufficient release, violates the law and Board policy.

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:

   a. the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;

   b. any person who secures a release of confidential HIV-related information;

   c. a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;

   d. a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;

   e. a medical examiner to assist in determining cause of death; or

   f. any person allowed access to such information by a court order.

D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.

2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.

4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.

5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.

6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."

2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.

3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

XIII. CHILD ABUSE REPORTING

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy Series 4000 REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES

XIV. RIGHT TO FILE A COMPLAINT

FERPA affords parents and eligible students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the agency that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

Legal References:

State Law:

Conn. Gen. Stat. § 1-210 et seq.
Conn. Gen. Stat. § 10-220h
Conn. Gen. Stat. § 10-15b
Conn. Gen. Stat. § 10-233d
Conn. Gen. Stat. § 10-220d
Conn. Gen. Stat. § 17-16a
Conn. Gen. Stat. § 17a-28
Conn. Gen. Stat. § 17a-101k
Conn. Gen. Stat. § 19a-581 et seq.
Conn. Gen. Stat. § 46b-134
Regs. Conn. State Agencies § 10-76d-18

Public Act 16-189, An Act Concerning Student Data Privacy

State Department of Education memorandum dated December 21, 2010, on school choice recruitment

Office of the Public Records Administrator, Retention Schedule M8-Education Records, Revised 2/2005, available at http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf

Federal Law:

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §§ 1232g et seq. (as amended)
USA Patriot Act of 2001, Pub. L. 107-56
Every Student Succeeds Act, Pub. L. No. 114-95

Healthy, Hunger-Free Kids Act of 2010, Pub. L. 111-296
34 CFR 99.1 - 99.67 (as amended)
34 CFR 300.560-300.576

Dear Colleague Letter on Transgender Students, U.S. Department of Education, Office of Civil Rights, U.S. Department of Justice, Civil Rights Division (May 13, 2016), available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, U.S. Department of Education (October 2007), available at http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/.

ADOPTED: April 9, 2002
REVISION: October 14, 2014
REVISION: March 21, 2017 **(Replaces policy #5125)**

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STUDENTS

ADMINISTRATIVE REGULATIONS REGARDING CLASSIFICATION OF EDUCATION RECORDS (FERPA)

The School District will appoint a Custodian of Records who will ensure that student education records are kept as follows:

A. **CATEGORY "A" RECORDS**:

1. Category A includes official administrative records that constitute the minimum personal data necessary for the operation of the educational system.
2. Category A records shall be maintained for at least fifty (50) years after the student leaves the school district or graduates.

3. All Category A records created by the district shall include the student's state-assigned student identifier (SASID).

4. Notice of a student's suspension or expulsion shall be expunged from the student's cumulative education record if the student graduates from high school, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon.

5. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board's disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student's cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. The Board may choose to expunge an expulsion notice from a student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. Should the notice be expunged in accordance with one of these provisions, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student's cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student's first suspension or expulsion.

6. Category A records shall include, at a minimum, the following:

RECORD	LOCATION
a. Basic biographical information	Cumulative/Health File
b. Academic achievement (grades/transcripts)	Cumulative File
c. Date of high school graduation or equivalent	Cumulative File
d. Records of immunizations	Cumulative/Health/Pupil Personnel File
e. Attendance records (days absent/present/tardy)	Cumulative File
f. *Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. 10-233c(e) , 10-233d(f))	Cumulative File

B. **CATEGORY "B" RECORDS**

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.

2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student's education record.

3. Category B records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.

4. Notice of a student's suspension or expulsion shall be expunged from the student's cumulative education record if the student graduates from high school, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon.

5. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board's disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student's cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. The Board may choose to expunge an expulsion notice from a student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. Should the notice be expunged in accordance with one of these

provisions, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student's cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student's first suspension or expulsion.

6. Records containing information pertaining to child abuse/neglect referrals or reports; or containing confidential HIV-related information should be kept separate from the student's cumulative folder, in confidential files.

7. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.

8. Information contained in documents related to any Department of Children and Families ("DCF") child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential in a central location. Such records shall only be disclosed in accordance with the Board's policy regarding Confidentiality and Access to Education Records.

9. Category B records shall include the following (if applicable):

RECORD	LOCATION
a. Child-Study Team Records / Student Assistance Team Records	Cumulative/Pupil Personnel File
a. Standardized group test scores (CAPT, CMT etc.)	Cumulative/Pupil Personnel File
c. Diagnostic reading/math test results (not special education)	Cumulative File
d. Educational and/or vocational interest	Cumulative File
e. Speech/language and hearing evaluations (not special education)	Cumulative/Health File
f. Comprehensive health records	Cumulative/Health/Pupil Personnel File
g. Correspondence relating to the student	Cumulative/Health/Pupil Personnel File

RECORD	LOCATION
h. Suspensions/expulsions, and the Individualized Learning Plan implemented for an expelled student, which shall include the student's state-assigned student identifier (SASID)	Cumulative File*
i. Parent/eligible student's signed release forms	Cumulative/Health/Pupil Personnel File
j. Truancy Records (including record of parent conferences and referrals)	Cumulative File
k. Child Abuse/Neglect Forms	CONFIDENTIAL FILE IN CENTRAL LOCATION
l. Reports Containing Confidential HIV-Related Information	CONFIDENTIAL FILE
m. Awards	Cumulative File
n. Diagnostic test results (non special education)	Cumulative File/Pupil Personnel
o. Extracurricular Activities	Cumulative File
p. Letters of Recommendation	Cumulative File
q. Parent's/Eligible Student's signed release forms (permitting disclosure of records)	Cumulative File/Health/Pupil Personnel File
r. Diploma (if not picked up by student)	Cumulative File
s. Accident Reports	Cumulative File
t. Basic school entrance health histories	Cumulative/Health File
u. Cumulative Health Record (CHR-1, original or copy)	Health File (*copy remains with district/original follows student)
v. Individualized Health Care Plans / Emergency Care Plans	Cumulative/Health/Pupil Personnel File

RECORD	LOCATION
w. Health Assessment Records (HAR-3)	Health File
x. Incident Reports	Cumulative File
y. Medication administration records (*6 yrs OR until superseded by yearly summary on CHR-1), which shall include the student's state-assigned student identifier (SASID)	Health File
z. Parent authorization for medications/treatments	Health File
aa. Physician's orders for medications treatments	Health File
bb. Referral forms for services based on results of mandated screenings	Health/Pupil Personnel File
cc. Sports histories and physical-examination reports	Health File
dd. Nursing Records (Health assessment data; Nursing process notes; 3rd party health records)	Health File
ee. Correspondence to parents related to verified acts of bullying; intervention plans and safety plans, as may be required under state law	Cumulative File

C. **CATEGORY "C" RECORDS – SPECIAL EDUCATION**

1. Category C includes verified information necessary for the formulation of prescriptive educational plans designed to meet the unique needs of selected students.

2. Category C information should be kept separate from the student's cumulative folder, in the Pupil Personnel File.

3. Category C records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.

4. Prior to the destruction of Category C information, notification to parents and/or eligible students via media will be made and opportunity provided to copy said records.

Category C shall include (where applicable):

RECORD	LOCATIONS
a. PPT referral forms	Pupil Personnel File
b. School counselor case records	Cumulative/ Pupil Personnel File
c. School psychologists case records	Cumulative/Pupil Personnel File
d. School social-work case records	Cumulative/Pupil Personnel File
e. School speech/language pathology case records	Cumulative/Pupil Personnel File
f. Section 504 Records	Cumulative/Pupil Personnel File
g. Special Education assessment/evaluation reports	Pupil Personnel File
h. Due process records (including complaints, mediations, and hearings)	Pupil Personnel File
i. Individual Transition Plan	Pupil Personnel File
j. Individualized Education Program ("IEP") Records	Pupil Personnel File
k. Planning and Placement Team ("PPT") records (including notices, meetings, consent forms)	Pupil Personnel File
l. Individualized Family Service Plans ("IFSPs")	Pupil Personnel File
m. Incident Reports of Seclusion	Pupil Personnel File
n. Incident Reports of Physical Restraint	Pupil Personnel File

D. CATEGORY "D" RECORDS

1. Category D records must be maintained for minimum retention period specified below. Category "D" shall include (if applicable):

RECORD	MINIMUM RETENTION REQUIRED	LOCATION
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	Cumulative File
b. Permission slips / waivers	3 years	Cumulative File
c. Free/reduced meal application and documentation	3 years	Cumulative File
d. Annual Notification to Parents (Student behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	Cumulative File
e. Adult education Registration Records	3 years or until audited, whichever comes first	Cumulative File
f. After school program registration records	1 year	Cumulative File
g. Pesticide application notification registration form	5 years	Cumulative File
h. School registration records including residency documentation	3 years or until audited, whichever comes later	Cumulative File
i. Student portfolio work (student produced work for grading assessment)	End of year in which student received grade	May be Maintained by Individual Teachers
j. Tardy slips from parents/guardians	End of school year	Cumulative File
k. Physician's Standing orders	Permanent; revise as required. Keep old copy separately.	Health File
l. Student's emergency information card	Until superseded or student leaves school district	Cumulative/Health File
m. Test Protocols	Discretion of district	Cumulative/Pupil Personnel File

n. Surveillance videotapes made on school bus (*if maintained by district)	2 weeks	N/A
o. Log of access to education records	Maintained for same retention period as required for the record	Cumulative/Health/Pupil Personnel

E. DURATION OF EDUCATION RECORDS

1. Records shall be destroyed in accordance with district policy and the Records Retention Schedule of the Public Records Administrator.
2. Records may be maintained for longer periods of time whenever valid cause for the retention of records is shown to the custodian of records.
3. Notwithstanding the applicable retention schedule, the school district shall not destroy any education record if a parent or eligible student has an outstanding request to inspect and review the education record.

F. MAINTENANCE OF EDUCATION RECORDS OF TRANSGENDER AND GENDER NON-CONFORMING STUDENTS

1. The Administration shall comply with all processes and procedures relative to the amendment of education records when presented with a request to change a student's name, gender, or any other information contained in education records.
2. If the Administration changes the name and/or gender in a transgender or gender non-conforming student's education record, all education records containing the student's birth name and gender shall be maintained, if so required under federal and/or state law and regulations, separately from other education records and in a strictly confidential location and manner.

G. RESPONSIBILITY FOR MAINTENANCE OF EDUCATION RECORDS

1. The Director of Pupil Personnel **[or Special Education]** is the Custodian of Records.
2. In addition, the following personnel are designated as the guardians of records for each of the schools:
   a) Categories A, B & D: Principal at each school.
   b) Category C: Case Manager at each school.
   c) With respect to confidential HIV-related information, if the Principal is a recipient of an HIV-related disclosure, the Principal shall be the guardian of records. If not, whoever was the recipient of the HIV-related disclosure shall be the guardian of the records.
   d) With respect to child abuse and neglect investigation material, the Superintendent of Schools or designee shall be the guardian of the records.
3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records in each of the schools.

4. Each of the custodians of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within the Colchester Public Schools.
5. The custodians of records is responsible for ensuring compliance with the confidentiality and access provisions of this Board policy and these administrative regulations.

ADOPTED: July 31, 2014
REVISED: October 9, 2018

Model Notification of Rights
Under FERPA for Elementary and Secondary Institutions

[NOTE: Under the procedures outlined in the policy, the following information will be disclosed on an annual basis to parents of students currently in attendance, or eligible students currently in attendance.]

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, et seq., affords parents and eligible students (*i.e.*, students over 18, emancipated minors, and those attending post-secondary educational institutions) certain rights with respect to the student's education records. They are:

(1) The right to inspect and review the student's education records within forty-five (45) calendar days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal **[or appropriate school official]** a written request that identifies the record(s) they wish to inspect. The principal **[or appropriate school official]** will make arrangements for access and notify the parents or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parents or eligible student believe are inaccurate or misleading, or otherwise violate the student's privacy rights.

Parents or eligible students who wish to ask the District to amend a record should write the school principal **[or appropriate school official]**, clearly identify the part of the record the parents or eligible student want changed, and specify why it should be changed.

If the District decides not to amend the record as requested by the parents or eligible student, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

(3) The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); or a

parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses a student's education record without consent to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. Further, and in accordance with state and federal law and guidance, the District may disclose education records to another school for enrollment purposes, which may include exploration of educational placement options by the District or educational placement decisions made by a planning and placement or Section 504 team, or in order to explore placement options for the provision of alternative educational opportunities.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, DC 20202-8520

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student, without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name, address and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data. Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

The written objection to the disclosure of directory information shall be good for only one school year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one school year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

Notification of Data Sharing Agreements Under Conn. Gen. Stat § 10-234bb(g)

[NOTE: This notice must be sent on or before September 1 of each school year]

Pursuant to the requirements of Conn. Gen. Stat. § 10-234bb(g), the [Insert Board of education] (the "Board") maintains and updates an Internet website with information relating to all contracts into which it has entered for which a contractor may gain access to student records, student information, or student-generated content (collectively, "student data"). The address of the Internet website is [insert address]. The Internet website includes copies of these contracts, and notices regarding each contract that include (1) the date the contract was executed, (2) a brief description of the contract and the purpose of the contract and (3) what student data may be collected as a result of the contract.

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____[name of individual who holds the information]_____, to release confidential HIV-related information, as defined in Conn. Gen. Stat. § 19a-581, concerning _____[name of protected individual]_____, to the following personnel:

_____ 1) School Nurse

_____ 2) School Administrator(s)

a) _____

b) _____

_____ 3) Student's Teacher(s)

a) _____

b) _____

_____ 4) Paraprofessional(s)

_____ 5) Director of Pupil Personnel Services

_____ 6) Other(s)

a) _____

b) _____

This authorization shall be valid for

_____ 1) The Student's stay at _____ School.

_____ 2) The current school year.

_____ 3) Other _____

specify period

I provide this information based on my responsibility to consent for the health care of _____. I understand that such information shall be held confidential by the persons authorized here to receive such information, except as otherwise provided by law.

_____

[Name]

_____

[Relationship to Student]

_____

[Date]

11/5/2018

TRANSFER OF CONFIDENTIAL STUDENT INFORMATION

Date: _____

Pursuant to the Family Educational Rights and Privacy Act ("FERPA"), I hereby authorize the [_____] Public Schools to **release** and/or **obtain** (please circle) the following confidential records regarding my child for the purpose of _____:

Name of Child: _____

Address: _____

_____

_____

_____

DOB: _____

Parent(s)/Guardian(s):_____

School: _____

(Please check all that apply)

	Obtain	Release
All Records	□	□
Cumulative File	□	□
Pupil Personnel/Special Education	□	□
Disciplinary	□	□
Health/Medical*	□	□
Other (please specify)	□	□

_____

_____

_____

To/From: _____

Name

Address: _____ _____ _____

Street Town State/Zip Code

Telephone: (_____)_____ Fax: (_____)_____

I understand that the information to be disclosed is protected as an "education record" under FERPA, and that such information shall not be redisclosed unless permitted under FERPA. I further understand that the officers, employees, and agents of any party that receives protected information under FERPA may use such information only for purposes for which the disclosure is made.

_____ _____

Signature of Parent/Guardian Date

_____

Print Name of Parent/Guardian

****

***If this authorization is being used to obtain Protected Health Information from a child's physician or other covered entity under HIPAA, the following section must also be completed:**

I, the undersigned, specifically authorize _____ to disclose my child's

Name of Physician

medical information, as specified above, to my child's school, _____,

Name of School

at the above address for the purposes described below (i.e. health assessment for school entry, special education evaluation etc.):

_____

By signing below, I agree that a photocopy of this authorization will be valid as the original. This authorization will be valid for a period of one year from the date below. I understand that I may revoke this authorization at any time by notifying the physician's office in writing, but if I do, it will not have any effect on actions taken by the Physician prior to receiving such revocation.

I understand that under applicable law, the information disclosed under this authorization may be subject to further disclosure by the recipient and thus, may no longer be protected by federal privacy regulations.

I understand that my child's treatment or continued treatment with any health care provider or enrollment or eligibility for benefits with any health plan may not be conditioned upon whether or not I sign this authorization and that I may refuse to sign it.

Any information received by the school pursuant to this authorization is subject to all applicable state and federal confidentiality laws governing further use and disclosure of such information.

****

_____ _____

Signature of Parent/Guardian Date

_____

Print Name of Parent/Guardian

11/5/2018

5126P

STUDENTS

AWARDS FOR ACHIEVEMENT

The Board of Education encourages the professional staff to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for scholarship and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be pointed out.

The professional staff is authorized to review and approve, or reject, proposed trophies, prizes, scholarships or other awards from non-school donors. Acceptance will require affirmative answers to at least the following questions:

1. Can the proposed award be considered free from motives of personal or corporate gain and publicity?

2. Are the criteria for making the award under the control of the professional staff, or acceptable to the staff?

3. Are the purposes, either implied or explicit, of the proposed award consistent with our schools' goals?

Policy adopted: April 9, 2002
Revised: December 11, 2018

NSC

cf. 1323P Gifts to Students Policy

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

Series 5000
Students

CONNECTICUT SUMMATIVE ASSESSMENTS POLICY

Each student enrolled in grades three through eight inclusive and grade eleven shall take a statewide assessment measuring whether or not a student has mastered essential grade level skills in reading, language arts, and mathematics. An assessment will be administered in science for grades five, eight, and ten only. These assessments shall be administered under the supervision of the Connecticut State Board of Education.

Student scores on each component of the statewide tests shall be included on their permanent record.

The school district will not require achievement of a satisfactory score on these statewide assessments, or any subsequent retest on a component of such assessments as the sole criterion of promotion or graduation.

Special education students shall participate in state assessments. The Planning and Placement Team will determine the use of modifications and/or administration of alternate assessments for individual students in accordance with Connecticut State Department of Education guidelines.

Limited English proficient (LEP) students shall participate in state assessments and must take the Language Assessment Scales (LAS). Accommodations, as established by State Department of Education guidelines, may be used.

In compliance with federal legislation, a participation standard of 100 percent of the total school population, as well as for each subgroup (e.g. race/ethnicity, gender, special education, bilingual/ESL, eligibility for free and reduced lunch), will be the participation goal.

Legal Reference: Connecticut General Statutes

10-14n Statewide mastery examination. Conditions for re-examination. Limitation on use of test results.
10-14o Compensatory education grant. Financial statement of expenditures.
10 14p Reports by local and regional boards re instructional improvement and student progress.
10-14q Exceptions (as amended by PA 01-205)
PL 107-110 - Title I, 34 CFR Part 2000
34 CFR Part 200 Regulations appearing in Federal Register, 9/13/06

ADOPTED:	February 11, 2003
REVISION:	December 9, 2003
REVISION:	December 14, 2010
REVISION:	April 12, 2016 **(Replaces Policy #6146.2)**

Colchester Public Schools

5131P

STUDENTS

CONDUCT

Student Behavior

Students shall be properly instructed in rules and regulations of acceptable conduct; they shall then be responsible for understanding and complying with the standards of behavior described therein. Any student who fails to comply with these rules and regulations concerning student behavior is liable to suspension, exclusion, or expulsion.

Areas of Responsibility

1. Board of Education
   The Board of Education holds the certified personnel responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school.

2. Principal
   The Principal may implement necessary procedures and rules and regulations to render effective the policies of the Board of Education relating to standards of student behavior. The Principal may involve representatives of all areas of school personnel, students, parents and citizens of the community.

3. Teachers
   Teachers shall be responsible for the instruction of students in rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

4. Parents
   Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

Notification of Behavior Code

The Board of Education designee shall, at the beginning of each school year, notify the parent or guardian of minor students registered in the district of the rules of the district pertaining to student discipline.

The Principal of each school shall take steps to ensure that all rules pertaining to the discipline of students are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

(cf. 5144 – Student Discipline)

Legal Reference: Connecticut General Statutes
52-572 Parental liability for torts of minors. Damage def med.

POLICY ADOPTED: April 9, 2002
REVISED: May 13, 2019

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5131.1P

STUDENTS

BUS CONDUCT

School transportation privileges are extended to school students conditional upon their satisfactory behavior on the bus. Unsatisfactory student behavior on the bus which endangers persons or property, or violates a Board policy or administrative regulation, may be cause for suspension of transportation services by the administration.

Unless an emergency exists, no student shall be suspended without an informal hearing by the administration at which such student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to suspension of transportation services.

If a student loses the bus privilege, he/she will be allowed to ride home that day only. Students who lose bus privileges are still required to attend school and it is the responsibility of parents to see that the students are in school. Students can be suspended/expelled from school due to unsatisfactory behavior on the school bus. Discipline code should be cross referenced.

(cf. 5144P STUDENT DISCIPLINE POLICY)

Connecticut General Statutes
10-186 Duties of local and regional boards of education re school attendance
10-220 Duties of boards of education
10-221 Boards of education to prescribe rules
10-233c Suspension of pupils

POLICY ADOPTED: April 19, 2002
REVISED: June 4, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5131.11P

STUDENTS

SURVEILLANCE ON SCHOOL PROPERTY

The Board of Education recognizes the district's responsibility to maintain order and discipline on school property. The Board also desires to afford students and staff privacy in respect to the records maintained by the district. The Board recognizes the value of electronic surveillance systems in monitoring activity on school property in furtherance of protecting the health, welfare and safety of its students and staff. The students and staff of the district recognize that their security and safety depends upon the capacity of the district to maintain discipline and that a certain amount of restraint upon the activities of students is assumed and expected. The Board of Education having carefully weighed and balanced the rights of privacy of students and staff against the district's duty to maintain order and discipline, retains the right to provide for the use of video camera surveillance on school grounds as follows:

1. The district shall notify its students and staff that video surveillance may occur on any school property. The district shall incorporate said notice in the student handbook.

2. The use of video surveillance equipment on school grounds and on other District property shall be supervised and controlled by the building administrator or other responsible administrator.

3. The use of video recordings from surveillance equipment shall be subject to the other policies of the district including policies concerning the confidentiality of student and personnel records.

4. Video surveillance shall only be used to promote the order, safety and security of students, staff and property.

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules

Education of the Handicapped Act of 1975, as amended

Individuals with Disabilities Education Act

Family Education Rights and Privacy Act

POLICY ADOPTED: April 17, 2012
REVISED: July 14, 2020
REVISED: March 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

4118.4(a)
4218.4(a)
~5131.11(a)

Personnel / Students

Surveillance on School Property

The following rules shall apply to video surveillance:

1. The district shall notify its students, their parents/guardians and its staff that video surveillance may occur on any school property. The district shall incorporate said notice in the student handbook and District's Policy Handbook. Signs shall be posted at each building with video cameras.

2. The use of surveillance equipment on school property and on other district property shall be supervised and controlled by the building administrator/ designee or district transportation coordinator, as applicable.

3. The use of recordings from surveillance equipment shall be subject to the other policies of the district including policies concerning the confidentiality of student and personnel records.

4. Surveillance shall be used only to promote the order, safety and security of students, staff and property and to assist school administrators in deciding upon appropriate disciplinary action.

Student Records

1. The district will comply with laws regarding student records requirements including the Family Education and Privacy Act and the Education of All Handicapped Children Act of 1975 as applicable in the district's use of recordings. Recordings considered for retention, as part of the student's behavioral record will be maintained in accordance with established student record procedures governing their access, review and release.

Staff Records

1. Video recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations and labor agreements governing access, review and release of employee personnel records.

Personnel / Students

Surveillance on School Property

Storage Security

1. All recordings will be stored and secured in accordance with established Board record retention policies.

2. Recording will be stored for not more than sixty days after initial recording, whereupon such recordings will be released for erasure.

3. Recordings held for review of student or staff incident will be maintained in their original form pending resolution. The tape will then be either released for erasure or retained as necessary as a part of the student's discipline record and or employee's personnel record in accordance with the established district procedures.

Viewing Requests

1. Requests for viewing video recordings will be limited to the appropriate vehicle driver, transportation coordinator, school administrator, parent/guardian or student 18 or older or others as deemed appropriate by the transportation coordinator or superintendent/designee. Requests for viewing will be limited to those parents/guardians, students and/or district officials with a direct interest in the proceedings deemed appropriate by the superintendent/designee. The district's School Resource Officer may also review the video at the request of a school administrator who requests assistance for determination of school policy violation and/or criminal behavior.

2. Requests for viewing may be made to the Director of Operations, principal, or superintendent designee.

3. Only the portion of the video recording concerning a specific incident(s) will be made available for viewing.

Viewing

1. Actual viewing will only be permitted at school related sites, including the transportation office, schools, and district office or as otherwise required by law.

2. All viewing will include the transportation coordinator and/or a school administrator.

3. Recordings remain the property of the district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and applicable labor agreements.

4118.4(c)
4218.4(c)
~5131.11(c)

Personnel / Students

Surveillance on School Property

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules

Education of the Handicapped Act of 1975, as amended

Individuals with Disabilities Education Act

Family Education Rights and Privacy Act

Regulation adopted: April 17, 2012

Colchester Public Schools
Colchester, Connecticut

Colchester Public Schools

5131.6P

STUDENTS

DRUGS, ALCOHOL, AND TOBACCO

Statement of Policy

It shall be the policy of the Colchester Board of Education to take appropriate measures to prevent the use and abuse of drugs, alcohol and tobacco on school property or at school-sponsored activities. While prevention shall be the primary area of focus, the Board of Education recognizes the need to cooperate with students and their families to intervene in the abuse of drugs (including mood altering substances), alcohol and tobacco. The goals of prevention and intervention shall be pursued through the use of curriculum and classroom activities, community and family support, and community resources.

Drugs and Alcohol

The Colchester Board of Education prohibits the unauthorized possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of drugs, narcotics or alcoholic beverages, or any item represented to be drugs or alcoholic beverages) on school property or at school-sponsored activities. For the purpose of this policy, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law. Controlled substances include, but are not limited to; opiates, opium derivatives, amphetamines, certain depressants, certain stimulants, narcotics, barbiturates, and anabolic steroids, as more particularly described in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243 and C.G.S. Section 21a-240(9). The Colchester Board of Education also prohibits the possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs or alcohol on school property or at school-sponsored activities.

Tobacco

There shall be no smoking or other use or unauthorized possession of tobacco products on school property at any time. This policy extends to transportation provided by the Board of Education, or during the course of any trip/activity sponsored by the Board of Education or under the supervision of the Board of Education or its authorized agents.

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering devices, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; vapor products, and any other tobacco or nicotine innovations. Notwithstanding the above, transdermal nicotine patches used solely as part of an organized treatment program to quit smoking shall not be considered tobacco for the purposes of this policy.

Definitions

1. **Controlled Drugs** means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
2. **Controlled Substances** means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
3. **Drug Paraphernalia** means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise

introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

4. **Electronic nicotine delivery system** means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.
5. **Liquid nicotine container** means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.
6. **Vapor product** means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.
7. **Professional Communication**: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
8. **Professional Employee** means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
9. **School-sponsored Activity** means any activity sponsored, recognized, or authorized by a board of education and includes activities conducted on or off school property.

Procedures

1. **Emergencies**
   If an emergency situation results from drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or designated responsible person will be notified.
2. **Prescribed Medications**
   Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school.

   Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication will be subject to the procedures for improper drug or alcohol use outlined in this policy.

Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral)

1. The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.
   (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
   (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student must be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).

(c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.

(d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

Involuntary Disclosure or Discovery of Drug/Alcohol Problems

1. When a professional employee obtains information related to a student from a source other than the student's confidential disclosure, that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

   (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.

   (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.

   (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must **immediately** report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or

possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

2. Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.

   (a) Any student in the Colchester Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.

   (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.

   (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by Conn. Gen. Stat. § 21a-240(9), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-

278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.

(d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.

(e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.

(f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

Legal References: Connecticut General Statutes

10-19 Programs to be offered on effects of drugs and alcohol.
10-154 Professional communication between teacher or nurse and student.
10-221(d) Boards of Education to prescribe rules re use, sale of, possession.
10-233a(h) definition of school-sponsored activity.
21a-240 Definitions, dependency producing drugs.
21a-243 Regulation re schedules of controlled substances.
Public Act 19-13

Federal Law
Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

POLICY ADOPTED: April 9, 2002
REVISED: January 10, 2006
REVISED: August 12, 2014
REVISED: February 13, 2019
REVISED: January 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

STUDENT DRIVING AND PARKING POLICY

Motorized Recreational Vehicles

The Board of Education declares that the grounds of the school (including roads and parking lots) are off limits to use at all times by scooters, mini-bikes, motorcycles, snowmobiles, or other recreational type motorized vehicles. When school is being occupied for school or community purposes, parking lots are available for parking only.

Permission for Student Use of Automobiles

The student use of automobiles on school grounds is a privilege afforded to students under limited circumstances, in accordance with the criteria set forth in this policy and any applicable administrative regulation promulgated by the administration.

Eligibility Criteria for Permits

Student driving and parking permits shall only be issued by the administration to students who meet the following criteria:

1. A student must have and maintain a valid driver's license, vehicle registration, and insurance as required under Connecticut law.

2. A student must comply with Connecticut's Graduated Driver Licensing laws.

3. A student must have and maintain an attendance record free from excessive absences or tardiness to school.

4. A student must maintain satisfactory progress toward grade level promotional criteria in all subjects.

5. A student must maintain slow and safe control of his/her vehicle on the school grounds and streets surrounding school parking area, and comply with any applicable limitations of his/her drivers' license.

6. A student must have and maintain a disciplinary record free from expulsions and/or excessive suspensions from school.

7. A student under the age of 18 must have and maintain parental permission for driving and parking on campus.

8. As part of the application process, each student must have his/her parents sign a release

waiving all liability or property damage claims against the school, school officials and the Colchester Board of Education.

Loss of Permit:

If the administration determines that a student has failed to maintain eligibility criteria for a driving and parking permit, the administration shall revoke the student's permit. The administration shall permit a student to provide information about the proposed loss of permit prior to making a final decision about the loss of a permit. Any student who loses his or her permit shall not be eligible for a permit for the remainder of the school year in which the permit has been revoked.

Issuance of Permits:

1. A permit is valid for one academic year only, and valid only for the car to which it is assigned.
2. A valid permit must be displayed at all times when on school property.
3. Preference shall be given for permit applications for students as follows:
   a. Students who require late admissions or early dismissal for approved purposes.
   b. Students engaged in extracurricular activities.
   c. Students employed on a part-time basis that requires the use of a car. (an employer's signature is required in such cases)
4. If, after permits have been issued for preferred student applicants, the number of applications for student permits exceeds the parking available, the administration shall conduct a blind lottery to determine which students shall be issued permits.
5. Seniors will have the first opportunity for available parking spaces in the teachers' parking lot.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

ADOPTED POLICY: April 9, 2002
REVISED POLICY: August 9, 2016 **(Replaces Policy 5131.3)**

Colchester Public Schools

5131.5P

STUDENTS

VANDALISM BY MINORS

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces or otherwise injures in any way any property, real or personal, belonging to the school district shall be held liable for all such damages up to the maximum amount allowed under state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school system. The student may also be liable to disciplinary and legal action.

Vandalism by an Adult Student

A student eighteen or over in age shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary and legal action.

Legal Reference: Connecticut General Statutes

10-221(c) Board of education to prescribe rules (re sanctions that may be imposed by a board against pupils who damage or fail to return textbooks, library materials or other educational materials)

52-572 Parental liability for torts of minors. Damage defined (as amended by P.A. 79-58)

POLICY ADOPTED: April 9, 2002
REVISED: May 13, 2019

NSC
COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

USE OF PRIVATE TECHNOLOGY BY STUDENTS POLICY

Students may possess privately owned technological devices on school property and/or during school sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

Definitions

Board Technology Resources

For the purposes of this policy, "Board Technology Resources" refers to the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the school district and accessible by students.

Privately Owned Technological Devices

For the purposes of the this policy, "Privately Owned Technological Devices" refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, walkmen, CD players, I-Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices.

Use of Privately Owned Technological Devices

Privately owned technology devices may be used during the school day, except when prohibited by staff.

Use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;

- Accessing or attempting to access any material that is obscene or contains pornography;

- Cyber bullying;

- Using such device to violate any school rule, including the unauthorized recording (photographic or audio) of another individual without the permission of the individual or a school staff member; or

- Taking any action prohibited by any Federal or State law.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and gender of the student and the nature of the infraction.

Responsibility for Privately Owned Technological Devices

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technology device is stolen, lost, or damaged, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised not to share or loan their privately owned technological devices with other students.

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or the use of such devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property or at school-sponsored activities, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

It is the policy of the Colchester Board of Education to permit students, using their privately owned technology devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students.

Additionally, it is the expectation of the Board of Education that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The Board considers access to its technology resources to be a privilege and not a right. Students are expected to act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures. **Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately owned technological devices while they are logged on to the network.** Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so *despite* the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and that any privately owned technological devices access same.

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board's technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

Legal References:

Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250
Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

ADOPTED: March 13, 2012
REVISION: May 10, 2016 **(Replaces policy #5131.81)**

Colchester Public Schools

Series 5000
Students

ADMINISTRATIVE REGULATIONS FOR USE OF PRIVATE TECHNOLOGY BY STUDENTS

Building level administrators, in consultation with the Superintendent and in compliance with this policy, other district polices, regulations, rules, and procedures, are authorized to determine the extent of the use of technology devices within their schools, on the school's property, and while students are attending that school's sponsored activities.

The district reserves the right to restrict the use of technology devices at any time. Guidelines:

Secondary
Building administrators are authorized to determine the extent of the use of technology devices. Students are allowed to bring such devices (cell phones, smart phones, laptop, E-readers, tablets, etc.) onto the school property. These devices may be used for educational or instructional purposes unless prohibited by staff.

Elementary and Intermediate School
Building administrators are authorized to regulate the use of technology devices. Students are allowed to bring technology devices onto the school property and use them for classroom or instructional-related activities only when initiated by a staff member.

Buses
Technology devices may be used on a school bus; their use must follow the Board of Education's discipline policy 5144 and Series 5000 Use of Private Technology Devices by Students.

Adopted: March 13, 2012
Revision: May 10, 2016 **(Replaces regulation #5131.81)**

Colchester Public Schools

5131.9P

STUDENTS

GANG ACTIVITY OR ASSOCIATION

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The Superintendent will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

The administration will provide service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternative.

Legal Reference: *Jeglin v. San Jacinto Unified School District*
(827F. Supp. 1459-C.D.Ca. 1993)
Olesen v. Board of Education School District No. 228
(676F. Supp. 820-N.D. Ill. 1987)

POLICY ADOPTED: April 9, 2002
REVISED: May 13, 2019

NSC
COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5131.911P

STUDENTS

BULLYING PREVENTION AND INTERVENTION

The Colchester Board of Education (the "Board") is committed to creating and maintaining an educational environment that is physically, emotionally, and intellectually safe and thus free from bullying, teen dating violence, harassment, and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For purposes of this policy, "Bullying" means an act that is direct or indirect and severe, persistent or pervasive, which:

1) causes physical or emotional harm to an individual;

2) places an individual in reasonable fear of physical or emotional harm; or

3) infringes on the rights or opportunities of an individual at school.

Bullying shall include, but need not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory

disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, "Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

For purposes of this policy, “Teen Dating Violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

Consistent with the requirements under state law, the Board authorizes the Superintendent or ~~his/her~~ designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

(1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;

(2) enable the parents or guardians of students to file written reports of suspected bullying;

(3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

(4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;

(5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

(6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;

(7) provide for the inclusion of language in student codes of conduct concerning bullying;

(8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above; (A) of the results of such investigation, and (B) verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;

(9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;

(10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;

(11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

(12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;

(13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

(14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety

measures the school will take to protect such students against further acts of bullying;

(15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;

(16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

(17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and

(18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

The Board shall submit its Safe School Climate Plan to the State Department of Education for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

As required by state law, the Board, after consultation with the Connecticut Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative, shall provide on the Board's website training materials to school

administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

As required by state law, the Board shall post on its website the plain language explanation of rights and remedies under Connecticut General Statutes §§ 10-4a and 10-4b, as developed and provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative.

Legal References:

Public Act 19-166Conn. Gen. Stat. § 10-145a

Public Act 21-95

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

Policy adopted: January 14, 2003
Policy revised: January 13, 2009
Policy revised: December 13, 2011
Policy revised: March 9, 2021
Policy revised: November 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools Safe School Climate Plan

Introduction

There is a growing understanding that school climate is an integral component of the learning environment and essential for school improvement. Connecticut has defined school climate as "the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults." The National School Climate Standards provide a vision and framework for a positive and sustainable school climate. Through the implementation of appropriate prevention and intervention strategies the Colchester Public Schools will sustain school environments where all members are welcomed, supported and feel safe in school; socially, emotionally, physically, and intellectually. In response to the need to establish these positive school climates, the Board of Education has adopted the following Safe School Climate Plan.

Component	Actions	Person(s) Responsible	Timeline
Bullying Prevention and Intervention Policy	Implement and enforce Bullying Prevention and Intervention Policy which includes: • Student codes of conduct that are defined and prohibit bullying in accordance with state law. • A prohibition against bullying on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device. • A prohibition of bullying outside of the school setting if such bullying results in any of the following: (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. • A prohibition against any form of discrimination and retaliation directed toward an individual who reports or assists in the investigation of an act of bullying is also strictly prohibited. • A prohibition against teen dating violence as defined as, "any act of physical, emotional, or sexual abuse, including stalking, harassment and threatening that occurs between two students who are currently or have	Superintendent of Schools School Administrators 	Ongoing

	recently been in a dating relationship."		
Notification Requirements	• Provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan. • Notify students and parents/guardians/caregivers of the process by which students may make reports of bullying. • Notify students and parents/guardians of the process by which students may make anonymous reports of bullying. • Educate students about the district's Bullying Prevention and Intervention Policy through developmentally appropriate discussions of the schools' behavioral expectations as specified in policy. • Educate parents/guardians/caregivers about the district's Bullying Prevention and Intervention Policy through a variety of communication vehicles including the digital backpack, open houses, PTO meetings, Community conversation/forums, etc. • Publish Bullying Prevention and Intervention Policy and Safe School Climate Plan on the school and district's web sites and in the District Policy Handbook for parents/guardians/caregivers and student handbooks.	Safe School Climate District Coordinator Safe School Climate District Coordinator Safe School Climate District Coordinator, Specialists, and School Administrators School Administrators Teachers School Administrators Superintendent of Schools School principal	Annually Annually Ongoing Ongoing Annually Annually
Safe School Climate Committee	• Appoint District Safe School Climate Coordinator • Appoint Safe School Climate Specialists in each school • Establish Safe School Climate Committee in accordance with the law, including at least one parent/guardian/caregiver of a student at the school • Ensure that parent(s)/guardian(s)/caregiver(s) serving on the Committee do not participate in any activities	Superintendent of Schools School Principals Safe School Climate District Coordinator and Safe School Climate Specialists	Annually Annually Annually

	which may compromise the confidentiality of any student.
	• Establish roles, responsibilities and procedures for Safe School Climate Committee including:
	  • Receive copies of completed reports following investigations of bullying;
	  • Identify and address patterns of bullying among students in the school;
	  • Review and make recommendations to amend school policies relating to bullying;
	  • Review and make recommendations to the district safe school climate coordinator regarding the district's safe school climate plan based on issues and experiences specific to the school;
	  • Educate students, school employees and parents and guardians of students on issues relating to bullying;
	  • Collaborate with the district safe school climate coordinator in the collection of data regarding bullying, in accordance with the law;
	  • Perform any other duties as determined by the school principal that are related to the prevention, identification and response to school bullying for the school.
		Safe School Climate District Coordinator and Safe School Climate Specialists
		
		Safe School Climate Specialists
			Ongoing
			
			Ongoing

Prevention and Intervention Strategy	• Identify effective evidence-based prevention and intervention strategies. Strategies may include, but are not limited to the following:
	  o Implement a positive behavioral interventions and supports process or another evidence-based curriculum for safe school climate or for the prevention of bullying
	  o Make students aware of school rules prohibiting bullying, harassment and intimidation and establish appropriate consequences for those who engage in such
		Director of Curriculum, Instruction, Safe School Climate District Coordinator and Safe School Climate Specialists
		
		Identified teachers
		
		School Administrators and Teachers
			Ongoing
			
			Ongoing
			
			Ongoing

	acts; o Provide adult supervision of outdoor areas, hallways, the lunchroom, the bus, and other specific areas where bullying is likely to occur; o Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school; o Individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees; o School-wide training related to safe school climate, to include relevant training in Title IX/Sexual harassment, Section 504/ADA, and cultural diversity. o Student peer training, education and support, including advocacy for victims o Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions. o Training in prevention, identification and response to teen dating violence for school employees. • Implement the evidence-based prevention and intervention strategies identified by the Safe School Climate Committee	School Administrators and School Employees Director of Curriculum and Instruction, Identified Teachers Safe School Climate Specialists and School Administrators Director of Curriculum and Instruction/School Principals Safe School Climate Specialists Safe School Climate Specialists and School Administrators School Administrators Identified School Employees	Ongoing Ongoing Annual Ongoing Ongoing, as indicated As determined by Committee

Assessment of School Climate	• Complete an assessment using the school climate assessment instruments including surveys, approved and disseminated by the State Department of Education for each school • Submit assessment results for each school in the district to the State Department of Education • Review and analyze data obtained from climate surveys/ make necessary modifications to the district plan • Compare and contrast survey results with the National School Climate Standards and best practices • Meet with Safe School Climate Specialists at least twice during each school year to discuss issues related to school climate/bullying and make recommendations to BOE Policy Committee concerning revisions to the District's Bullying Prevention and Intervention Policy and/or Safe School Climate Plan	Safe School Climate Committee Safe School Climate District Coordinator Safe School Climate Committee Safe School Climate Committee District Safe School Climate Coordinator	Biennially thereafter, Biennially Ongoing Ongoing Two times per school year

Training	• Provide all certified school employees training on the prevention, identification and response to bullying and the prevention of and response to youth suicide. The training will be provided to teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate via in-service training.	Safe School Climate District Coordinator and Specialists	Annually
	• Provide all other school employees training provided by the State Department of Education.	CSDE with Safe School Climate District Coordinator and Specialists	Annually
	• Provide annual notice to students and parents/guardians/caregivers of the process by which bullying reports are made	School Principal	Annually
	• Ensure the inclusion of language in student discipline policy concerning bullying as posted in District Parent Policy Manual	Superintendent of Schools Board of Education	Annually
	• Provide all school employees with written or electronic copy of school district's safe school climate plan	Superintendent of Schools	Annually at beginning of school year
	• Require that all school employees and bus drivers annual complete training on the identification, prevention, and response to bullying as required by law	Director of Curriculum and Instruction/School Principals Transportation Coordinator	Annually

Reporting Procedures	• Orally notify the Safe School Climate Specialist or school Administrator after being witness to acts of bullying or receiving reports of bullying • File a written report with the Safe School Climate Specialist after being witness to acts of bullying or receiving reports of bullying • Any student who believes s/he has been the victim of bullying/cyberbullying or who has witnessed bullying behavior should report the matter to any school employee, either in writing or anonymously. • Parent(s)/guardian(s)/caregiver(s) may file written reports of Suspected bullying/cyberbullying. • Report acts of bullying that may constitute a criminal offense to appropriate law enforcement	All school employees All school employees All Students All Parents/Guardians/Caregivers School administrator	Within one school day after witnessing/receiving report Within two school days of oral notification Ongoing Ongoing Ongoing
Investigation	• Develop and disseminate investigation procedures for use by safe school climate specialists. • Investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. • Review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report. • Determine whether the alleged conduct occurred & whether such conduct constitutes bullying as defined in the district policy. • Investigate bullying incidents that raise concerns about discrimination or harassment on basis of legally protected classifications	Safe School Climate District Coordinator Safe School Climate Specialists/School Administrators Safe School Climate Specialists/School Administrators Safe School Climate Specialists/School Administrators School administrators refer	Annually Promptly Promptly Upon completion of investigation As indicated

	• Notify the parents/caregivers of the victim and the parents/caregivers of the student alleged to have committed acts of bullying that an investigation has commenced.	investigations to Director of Pupil Services School Administrators	Promptly
Response to Verified Acts of Bullying	• Take prompt corrective action that is reasonably calculated to stop the bullying and prevent any recurrence of such behavior, if it is determined that bullying has occurred.	Safe School Climate Specialists/School Administrators	Upon determination that bullying has occurred
	• Notify the parents/guardians/caregivers of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed. This notification shall include a description of the response of school employees to such acts, with care taken to respect the statutory privacy rights of others students, including the perpetrator. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian/caregiver's own child may not be disclosed except as provided by law.	School Administrators	48 hours after the completion of the investigation
	• Invite the parent(s)/guardian(s)/caregiver(s) of students who engage in any verified acts of bullying after the completion of the investigation to a meeting at which the following will be shared: 1. A description of the verified act(s). 2. A description of the school's interventions in response to the act(s). 3. Consequences, as appropriate	School Administrator	Upon determination that bullying has occurred
	• Invite the parent(s)/guardian(s)/caregiver(s) of any student against whom an act of bullying was verified after the completion of the investigation at which the following information will be shared: 1. A description of the verified act(s). 2. A description of the school's interventions designed to keep the student safe & prevent any further acts of bullying. 3. The content of the student safety support plan.	School Administrator	Upon determination that bullying has

	Except in rare circumstances, such meetings with parents and guardians should be held separately. • Develop a student safety support plan for any student against whom an act of bullying was directed. The plan shall address safety measures the school will take to protect such students against further acts of bullying. • Develop case-by-case interventions to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline.	Safe School Climate Specialists/School Administrators Safe School Climate Specialists/School Administrators	occurred Upon determination that bullying has occurred Upon determination that bullying has occurred
Documentation and Record Keeping	• Establish a procedure for each school to: o Document and maintain records relating to reports and investigations of bullying in the school. o Maintain a list of the number of verified acts of bullying in the school and make such list available for public inspection. This public list must not contain any personally identifiable information about any student or information that might reasonably lead to the identification of any student. • Report the number of verified acts of bullying in the district's schools to the Department of Education in such manner as prescribed by the Commissioner of Education	Safe School Climate District Coordinator & Specialists Safe School Climate District Coordinator	July 1, 2012 Annually based on timeline established by CSDE

Regulation adopted: March 11, 2003
Regulation revised: December 13, 2011
Regulation revised: December 9, 2014

Colchester Public Schools
Colchester, CT

Colchester Elementary School

Incident Report: Suspected Bullying Behavior

Today's Date: _____

Name of Reporter (optional): _____

Name of Targeted Student (if different from above): _____

Grade/Teacher: _____

Name of Student Displaying Suspected Bullying Behavior: _____

Grade/Teacher: _____

How did you become aware of this incident?

- ☐ It happened to me.
- ☐ I saw it happen.
- ☐ I was told by a student not directly involved.
- ☐ I was told by the student(s) it happened to.
- ☐ Other: _____

Date, time, and location of incident – when and where did this occur?	
Were there any adults present?	☐ No ☐ Yes, their name(s): _____
Were there other students present?	☐ No ☐ Yes, their names are: _____ _____ _____
What happened?	(please use the back of this form if you need more space)
☐ I have seen the student **being mean-spirited** to others before. ☐ I have seen the **targeted student** being targeted by others before.	

Name of School Employee Receiving Report Date

Colchester Elementary School

Initial Investigative Report of Suspected Bullying Behavior

Name of Investigator: _____ Investigator's Position @ CES: _____

Date/Time SBB Report Rec'd: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

Would you prefer to remain anonymous? ☐ No ☐ Yes

Have you been the target of SBB in the past? ☐ No ☐ Yes → By: _____

→ Is further investigation required? ☐ No ☐ Yes

Has the student w/SBB ever targeted you in the past? ☐ No ☐ Yes → Frequency: _____ → Date of Last Occurrence: _____

How does this person's behavior make you feel?	
What have you tried to get this behavior to stop?	
How do you think this problem could be resolved?	
Additional notes: (please continue on the back of this form)	
Action(s) taken (phone call to parent, apology note, consult w/admin., etc.)	

Initial Investigator Date

Administrator Date

☐ Further administrative action needed

☐ Report not verified as an act of bullying/harassment

Colchester Elementary School

Administrative Investigation of Suspected Bullying Behavior

Name of Administrator: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

→ This is this student's _____ referral for SBB.

This report was substantiated as bullying.	☐ No ☐ Yes
This report was substantiated as harassment – referral made to Pupil Services.	☐ No ☐ Yes
Was a student safety support plan developed for the targeted student?	☐ No ☐ Yes
This report was shared with law enforcement for further investigation.	☐ No ☐ Yes _____Date

Action(s) Taken to Support Targeted Student:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Action(s) Taken to Support Student Exhibiting SBB:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Administrative Signature Date

Jack Jackter Intermediate School

Incident Report: Suspected Bullying Behavior

Today's Date: _____

Name of Reporter (optional): _____

Name of Targeted Student (if different from above): _____

Grade/Teacher: _____

Name of Student Displaying Suspected Bullying Behavior: _____

Grade/Teacher: _____

How did you become aware of this incident?

- ☐ It happened to me.
- ☐ I saw it happen.
- ☐ I was told by a student not directly involved.
- ☐ I was told by the student(s) it happened to.
- ☐ Other: _____

Date, time, and location of incident – when and where did this occur?	
Were there any adults present?	☐ No ☐ Yes, their name(s): _____
Were there other students present?	☐ No ☐ Yes, their names are: _____ _____ _____
What happened?	(please use the back of this form if you need more space)
☐ I have seen the student **being mean-spirited** to others before. ☐ I have seen the **targeted student** being targeted by others before.	

Name of School Employee Receiving Report Date

Jack Jackter Elementary School

Initial Investigative Report of Suspected Bullying Behavior

Name of Investigator: _____ Investigator's Position @ JJIS: _____

Date/Time SBB Report Rec'd: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

Would you prefer to remain anonymous? ☐ No ☐ Yes

Have you been the target of SBB in the past? ☐ No ☐ Yes → By: _____

→ Is further investigation required? ☐ No ☐ Yes

Has the student w/SBB ever targeted you in the past? ☐ No ☐ Yes → Frequency: _____ → Date of Last Occurrence: _____

How does this person's behavior make you feel?	
What have you tried to get this behavior to stop?	
How do you think this problem could be resolved?	
Additional notes: (please continue on the back of this form)	
Action(s) taken (phone call to parent, apology note, consult w/admin., etc.)	

Initial Investigator Date

Administrator Date

☐ Further administrative action needed

☐ Report not verified as an act of bullying/harassment

Jack Jackter Intermediate School

Administrative Investigation of Suspected Bullying Behavior

Name of Administrator: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

→ This is this student's _____ referral for SBB.

This report was substantiated as bullying.	☐ No	☐ Yes
This report was substantiated as harassment – referral made to Pupil Services.	☐ No	☐ Yes
Was a student safety support plan developed for the targeted student?	☐ No	☐ Yes
This report was shared with law enforcement for further investigation.	☐ No	☐ Yes _____Date

Action(s) Taken to Support Targeted Student:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Action(s) Taken to Support Student Exhibiting SBB:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Administrative Signature Date

William J. Johnston Middle School

Incident Report: Suspected Bullying Behavior

Today's Date: _____

Name of Reporter (optional): _____

Name of Targeted Student (if different from above): _____

Grade/Teacher: _____

Name of Student Displaying Suspected Bullying Behavior: _____

Grade/Teacher: _____

How did you become aware of this incident?

- ☐ It happened to me.
- ☐ I saw it happen.
- ☐ I was told by a student not directly involved.
- ☐ I was told by the student(s) it happened to.
- ☐ Other: _____

Date, time, and location of incident – when and where did this occur?	
Were there any adults present?	☐ No ☐ Yes, their name(s): _____
Were there other students present?	☐ No ☐ Yes, their names are: _____ _____ _____
What happened?	(please use the back of this form if you need more space)
☐ I have seen the student **being mean-spirited** to others before. ☐ I have seen the **targeted student** being targeted by others before.	

Name of School Employee Receiving Report Date

William J. Johnston Middle School

Initial Investigative Report of Suspected Bullying Behavior

Name of Investigator: _____ Investigator's Position @ WJJMS: _____

Date/Time SBB Report Rec'd: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

Would you prefer to remain anonymous? ☐ No ☐ Yes

Have you been the target of SBB in the past? ☐ No ☐ Yes → By: _____

→ Is further investigation required? ☐ No ☐ Yes

Has the student w/SBB ever targeted you in the past? ☐ No ☐ Yes → Frequency: _____ → Date of Last Occurrence: _____

How does this person's behavior make you feel?	
What have you tried to get this behavior to stop?	
How do you think this problem could be resolved?	
Additional notes: (please continue on the back of this form)	
Action(s) taken (phone call to parent, apology note, consult w/admin., etc.)	

Initial Investigator Date

Administrator Date

☐ Further administrative action needed

☐ Report not verified as an act of bullying/harassment

William J. Johnston Middle School

Administrative Investigation of Suspected Bullying Behavior

Name of Administrator: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

→ This is this student's _____ referral for SBB.

This report was substantiated as bullying.	☐ No	☐ Yes
This report was substantiated as harassment – referral made to Pupil Services.	☐ No	☐ Yes
Was a student safety support plan developed for the targeted student?	☐ No	☐ Yes
This report was shared with law enforcement for further investigation.	☐ No	☐ Yes _____Date

Action(s) Taken to Support Targeted Student:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Action(s) Taken to Support Student Exhibiting SBB:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Administrative Signature Date

Bacon Academy

Incident Report: Suspected Bullying Behavior

Today's Date: _____

Name of Reporter (optional): _____

Name of Targeted Student (if different from above): _____

☐ GR 9 ☐ GR 10 ☐ GR 11 ☐ GR 12

Name of Student Displaying Suspected Bullying Behavior: _____

☐ GR 9 ☐ GR 10 ☐ GR 11 ☐ GR 12

How did you become aware of this incident?

☐ Self-Report
☐ Informed by a student not directly involved in this incident
☐ Other: _____
☐ Informed by victim(s)
☐ Witness to this incident

Date, time, and location of incident – when and where did this occur?	
Were there any adults present?	☐ No ☐ Yes: _____
Were there other students present?	☐ No ☐ Yes: _____ _____ _____
Please explain this incident:	(please use the back of this form if you need more space)
☐ I have seen the student **displaying** mean-spirited behavior targeting other students. ☐ I have seen the **targeted student** being targeted by others on different occasions.	

Name of School Employee Receiving Report Date

Bacon Academy

Initial Administrative Report of Suspected Bullying Behavior

Name of Administrator: _____

Date/Time SBB Report Rec'd: _____ Date of Investigation: _____

Name of Targeted Student: _____

☐ GR 9 ☐ GR 10 ☐ GR 11 ☐ GR 12

Name of Student Demonstrating Suspected Bullying Behavior: _____

☐ GR 9 ☐ GR 10 ☐ GR 11 ☐ GR 12

→ This is this student's _____ referral for SBB.

Would you prefer to remain anonymous? ☐ No ☐ Yes

Have you been the target of SBB in the past? ☐ No ☐ Yes → By: _____

→ Is further investigation required? ☐ No ☐ Yes

Has the student w/SBB ever targeted you in the past? ☐ No ☐ Yes → Frequency: _____ → Date of Last Occurrence: _____

How does this person's behavior make you feel?	
What have you tried to get this behavior to stop?	
How do you think this problem could be resolved?	

Additional notes:

(please continue on the back of this form)

Bacon Academy

Administrative Investigation of Suspected Bullying Behavior

Name of Administrator: _____ Date of Investigation: _____

Name of Targeted Student: _____

Name of Student Demonstrating Suspected Bullying Behavior: _____

→ This is this student's _____ referral for SBB.

This report was substantiated as bullying.	☐ No	☐ Yes
This report was substantiated as harassment – referral made to Pupil Services.	☐ No	☐ Yes
Was a student safety support plan developed for the targeted student?	☐ No	☐ Yes
This report was shared with law enforcement for further investigation.	☐ No	☐ Yes _____Date

Action(s) Taken to Support Targeted Student:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Action(s) Taken to Support Student Exhibiting SBB:	Additional Notes:
☐ Discipline Referral (see attached) ☐ Education / Counseling ☐ Phone Call to Parent/Guardian → Date/Time of Call: _____ → Spoke with: _____ ☐ Outside Agency Referral Made to: _____ ☐ Conference Offered: Parent/Guardian ☐ Declined / ☐ Accepted Conference Date: _____ Outcome: _____ ☐ Other Intervention: _____	

Administrative Signature Date

Mission/Goals/Objectives

Civility/Respectful Communications and Actions

Purpose

The Colchester Board of Education promotes civility and respectful communications among district employees, students, parents and the public. In the interest of presenting all adults as positive role models for students, the Colchester Board of Education encourages positive communication and discourages harassing, defamatory, obscene, abusive, discriminatory or threatening communication or actions, some of which may be against the law.

The intent of this policy is to maintain a civil, respectful workplace for teachers, students, administrators, staff, parents and other members of the school community.

The following describes expected standards for staff, students, parents and members of the public while at school, on school property or at a school function.

Standards for Communications

The Board expects staff, students, parents and members of the public while at school, on school property or at a school function to communicate and act in a manner that promotes respect for the dignity and worth of all individuals, regardless of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, socio-economic status, or role within the school community. All adults participating in the school community are expected to communicate and act in a manner that consistently provides positive role models for students. The Board will regulate communications and actions by staff, students, parents and members of the public while at school, on school property or at a school function, when such communications or actions are contrary to these fundamental principles.

Specifically, the Board will regulate disruptive communications and/or actions by members of the school community that:

1) interfere, disrupt or undermine the effective operation of the school district;
2) are used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
3) create a hostile work environment;
4) breach confidentiality obligations of school district employees; or
5) violate the law, board policies and/or other school rules and regulation.

Mission/Goals/Objectives

Civility/Respectful Communications and Actions - continued

Examples of Disruptive Communications/Actions

Disruptive Communications/Actions include, but are not limited to:

- Using loud and/or offensive language (for example, swearing or display of temper).
- Invading another person's space by moving close to the individual in an aggressive manner.
- Threatening to do physical harm to a teacher, school administrator, school employee, student or member of the community.
- Damaging, destroying or threatening to destroy or damage school property.
- Harassing, defamatory, obscene, abusive, discriminatory or threatening verbal, written or electronic communications.
- Any other behavior which disrupts the orderly operation of the school, a school activity, or any other activity sponsored by the school district.

Student, Parent, Member of the Public Resources

Any employee, parent, or member of the public who believes he/she was subject to disruptive communications and/or actions on the part of a staff member should bring such behavior to the to the attention of the building principal and/or the Superintendent's office.

Disciplinary Consequences

Employees found to be in violation of this policy may be subject to disciplinary action. Students found to be in violation of this policy may be subject to disciplinary action in accordance with the Board's policy concerning Student Discipline.

Parents or other members of the school community found to be in violation of this policy may be directed to leave school property, a school building, or any activity sponsored by the school district. Repeat violations may result in a long-term denial of access to school property, school buildings, or activities sponsored by the school district.

Series 5000
Students

ATTIRE AND HYGIENE POLICY

The attire and hygiene of each student in the school system are the responsibility of the student and his/her parent(s)/guardian(s).

Each student is expected to dress and groom his/herself for the business of school in a manner that does not distract other students or teachers, or disrupt the educational process.

If the attire or hygiene of a student is distracting, disruptive to the educational process, unhygienic, a threat to the health or safety of any individual, or considered to be profane, obscene, discriminatory, violent, or promoting the use of drugs, tobacco, alcohol, or firearms, the student will be referred to the school administration or nurse. The student and/or his/her parents/guardian will be required to take appropriate action to rectify the situation before the student is allowed to return to the classroom.

Students who represent the school/district will be required to conform to attire and hygiene standards as approved by the school administration and may be denied the opportunity to participate if those standards are not met.

Appeal Process

A dress code decision may be appealed by the student or his/her parent(s)/guardian(s) as follows:

1. discuss the decision with the person(s) who made it. If not satisfied with the response, then
2. provide a written appeal to the principal demonstrating that a policy and/or regulation was unfairly applied. The appeal will be reviewed by the principal with a written response provided within three working days. If not satisfied with this response, then
3. present a written appeal to the Superintendent who will review and provide a final decision within five working days.

ADOPTED: April 9, 2002
REVISION: January 9, 2007
REVISION to format only: December 13, 2016 **(Replaces Policy 5132)**

CPS

ATTIRE and HYGIENE REGULATION

Colchester Elementary School

Attire and hygiene of students are the responsibility of the students and their parent(s)/guardian(s). Students' overall attire/hygiene must be neat, clean and appropriate for the business of school. They are expected to dress so as to neither distract other students or teachers, disrupt the educational process, or pose a health or safety threat to anyone.

CES students must adhere to the following guidelines:

- Sandals must have back straps (no flip flops).
- Shoes must have solid soles (no rollers/heelies).
- Messages or pictures on clothing should be respectful. Clothing may not contain profanity or make references to drugs, alcohol, tobacco, sexual behavior, or firearms.
- Clothing must cover the midriff and be no shorter than mid-thigh.
- Clothing that is appropriate for the weather (we will not allow student to go out for recess in cold weather if they do not have appropriate outer wear).
- Hats and other headwear may only be worn outside.

If a student's attire is judged to be distractive or disruptive, every attempt will be made by staff or administration to provide alternate clothing. A letter informing the parents of the policy infraction will be sent home with the student.

Administration will have final determination of what is acceptable attire and/or hygiene and will take appropriate action.

Jack Jackter Intermediate School

The attire and hygiene of each student in the school system are the responsibility of the student and his/her parent(s)/guardian(s).

Each student is expected to dress and groom him/herself for the business of school in a manner that does not distract other students or teachers, disrupt the educational process, and/or pose a health or safety threat to anyone.

JJIS Dress Code Regulations

JJIS students must adhere to the following guidelines:

- Sandals must have back straps (no flip flops).
- Shoes must have solid soles (no rollers/heelies).
- Messages or pictures on clothing should be respectful. Clothing may not contain profanity or make references to drugs, alcohol, tobacco, sexual behavior, or firearms.
- Shirts must cover the midriff, any cleavage, and backs. Camisole tops must be covered.
- Shorts and skirts must be no shorter than mid-thigh.
- Hats, bandanas, hoods and other headwear may only be worn outside.
- Underwear of any kind must not be visible.

If a student's attire is judged to be distractive or disruptive, every attempt will be made by staff or administration to provide alternate clothing. A letter informing the parents of the policy infraction will be sent home with the student.

If no acceptable change of clothing is available at school, students in violation of this policy/regulation will be required to call home for a change of clothing. Students will be required to remain in the office until they are in compliance. Those who refuse to comply may be sent home. Administration will have final determination of what is appropriate attire and/or hygiene.

William J. Johnston Middle School

Students' attire and hygiene must be appropriate for the business of school, including all school activities, and must conform to the following standards:

- Not be distracting to the educational process,
- Contribute to an atmosphere of respect and safety, and
- Be modest and clean.

Clothing which is worn in physical education class shall not be worn in other classes or parts of the school, nor shall clothing worn in regular classes be worn in physical education class. Physical education teachers will specify the kind of clothing appropriate for their activity.

Closed-toed shoes MUST be worn during science experiments.

*Specific examples of items **not** allowed (this list is not inclusive):*

- Spiked clothing, spiked accessories, or chains
- Jackets or coats normally worn as outerwear
- Shower shoes
- Shoes with rollers/heelies
- Clothing showing cleavage or midriff. Camisole tops must be covered.
- Skirt or shorts higher than a hands length above the knee
- Visible underwear of any kind
- Items which are racist, sexist, violent, or defamatory in nature
- Head coverings except those worn pursuant to established religious customs
- Hats, hoods, bandanas, caps, doorags, visors, or sunglasses
- Clothing that contain profanity or makes references to drugs, alcohol, tobacco, sexual behavior, or firearms

Administration will have final determination of what are appropriate attire and/or hygiene. Students in violation of this policy/regulation will be required to call home for a change of clothing, if no acceptable change of clothing is available at school. Students will be required to remain in the office until they are in compliance. Those who refuse to comply may be sent home.

Bacon Academy

Bacon Academy expects that students will be clean, neatly dressed, and well-groomed at all times. The goal of this regulation is to promote a healthy environment that upholds our core values of Respect, Responsibility, Achievement, Safety, and Compassion, and prepares students for work in the 21st-Century. We believe that a dress regulation is one of the key components in creating a positive learning environment, in which high standards for academic achievement and an understanding of career readiness can be achieved for all students.

Bacon Academy values diversity and individuality provided student attire is appropriate for the business of school, including all school activities, and remains within the guidelines of the standards below.

- an atmosphere that keeps the focus on educational learning
- a collegial environment at BA that encourages modesty and cleanliness
- a culture of integrity, respect, & safety, while valuing diversity
- an opportunity to learn appropriate dress for careers and postsecondary training

Tops

Blouses/tops/shirts/sweatshirts/windbreakers/fleeces/dresses must have straps or sleeves and cover cleavage and the complete torso through the pant line while sitting, standing, and bending. Exposure of the skin or undergarments in said area due to sheerness, thinning, or holes is not permitted. There may be no visible undergarments of any kind (e.g. boxers, bras, camisoles). Pajamas are not permitted.

Bottoms

Slacks/pants/shorts/sweatpants/skirts should cover the area from the waist of the pant and/or bottom of the shirt line, down to the fingertip length of the legs (approximately mid-thigh) while sitting, standing, and bending. Exposure of the skin or undergarments in said area due to sheerness, thinning, or holes is not permitted. Leggings/yoga pants may be worn with tunic/top/sweater that covers the outline of private areas. Pajamas are not permitted.

Footwear

Footwear appropriate and safe for indoor and outdoor activity must be worn at all times and include a hard sole with no wheels. Closed-toed shoes may be required for activities in class (P/E, technology education, FCS, science labs, etc.).

Other Items

Items covering or obstructing the view of the face are not permitted, including sunglasses.

Outerwear such as heavier coats, jackets, or trench coats shall not be worn in the classroom during the school day, and must be placed in student lockers.

Material that is not clothing may not be worn, carried, or used during the school day, and must be placed in student lockers (including but not limited to blankets and snuggies).

Bacon Academy - continued

Attire or tattoos that are considered to be profane, obscene, discriminatory, racist, sexist, violent, or promoting the use of drugs, tobacco, alcohol, or firearms are not permitted.

Physical Education Classes

Clothing is worn in physical education class shall not be worn in other classes or other parts of the school, nor shall clothing worn in regular classes be worn in physical education class. Physical education teachers will specify the kind of clothing appropriate for physical activities.

Administration will have final determination of what are appropriate attire and/or hygiene. Students in violation of any dress code policy may be required to call home for a change of clothing if no acceptable change of clothing is available at school. Students may be required to remain in the office until they are in compliance with this regulation. Those who refuse to comply may be sent home and/or receive other disciplinary consequences.

Teachers and coaches reserve the right to set class or team expectations that are more stringent than those defined in the Bacon Academy Dress Code. When more stringent expectations prevail, these expectations will be communicated and will supersede this Dress Code.

ADOPTED: May 22, 2007
REVISION: December 13, 2016 **(Replaces Regulation 5132)**

CPS

Colchester Public Schools

5139P

STUDENTS

PARTICIPATION FEES FOR SCHOOL ACTIVITIES

SECTION I – IMPOSITION OF FEES

Fees may be charged for participation in any school-sponsored extracurricular program, including interscholastic programs, field trips and clubs (together, "Extracurricular Programs"). Such fees are subject to fee waiver or reduction, as described in Section II of this policy.

Fees for athletic programs will be assessed pursuant to a written fee schedule adopted by the Board. Written notice of the fee schedule and the waiver or reduction policy will be provided to students and families/guardians as early as possible prior to the time the fees become due. The fee schedule may be changed by the Board at any time.

Fees for field trips and clubs will be determined by the administration based on reasonable costs associated with those activities.

SECTION II – FEE WAIVER OR REDUCTION

To ensure that no student is denied the opportunity to participate in Extracurricular Programs because of an inability to pay the applicable fee, the District will consider a waiver or reduction of such fee upon the submission of the Student Fee Waiver/Reduction Request Form, as provided by the District. This form shall require the student or parent/guardian of such student to attest to special circumstances that exist that would demonstrate an inability to pay, such as a greater than 50% reduction in family income, the need to pay extraordinary medical expenses, or eligibility for participation in the federal free and reduced-price school meal program.

The Student Fee Waiver/Reduction Request Form must be completed and submitted to the Principal of the student's school. The Principal will decide whether to grant a waiver or reduction on the basis of the information provided in this form. The Principal's decision may be appealed to the Superintendent of Schools. If an application for a fee waiver or reduction is denied, the Principal must provide written notice to the student of the denial and the right to appeal to the Superintendent.

Policy adopted: January 8, 2013
Policy revised: January 12, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Students

Participation Fees for School Activities

All student athletes must have all paperwork completed and all fees paid prior to the start of the first official game as registered by the Connecticut Interscholastic Athletic Conference (CIAC). Any student athlete who has not paid and/or not completed all the necessary paperwork will be forbidden to participate in the athletic competition.

If a student has paid all fees but is no longer part of a team those fees may be refunded under the following schedule.

1. No fees will be refunded in the following circumstances:

    a. If a student athlete is disqualified from playing sports for discipline reasons;

    b. If a student athlete is disqualified from playing sports for academic reasons; or

    c. If the student athlete quits the sports team.

2. If a student athlete suffers an injury and is under Doctor's orders not to play, the following refund schedule will apply:

    a. First game through 25% of the game season, 75% of the fees paid will be refunded.

    b. 26% through 50% of the games played, 50% of the fees paid will be refunded.

    c. After the half-way point of the game season, fees will not be refunded.

Students

Participation Fees for School Activities

STUDENT FEE WAIVER/REDUCTION REQUEST FORM

_____
Date Submitted Fee Type (sport or activity)

_____
Student Last Name Student First Name Grade Level

_____
Parent/Guardian Name Address

_____
Home Phone Work Phone Cell Phone

Description of Fee: _____ Fee Amount: _____

Nature of request: ___ full waiver of fee; OR

___ a reduction of fee to $ _____.

To the Principal:
I am requesting a fee waiver or reduction as indicated above because special circumstances exist that would demonstrate an inability to pay, such as a greater than 50% reduction in family income, the need to pay extraordinary medical expenses, or eligibility for participation in the federal free and reduced-price school meal program.

I hereby attest to the truthfulness and accuracy of the previous sentence.

_____
Signature

_____
Printed Name

FOR OFFICE USE ONLY

Request Approved _____ Request Denied _____

_____
Principal's Signature

_____
Date

Students

Participation Fees for School Activities

Colchester Public Schools
Participation Fee Schedule
~
Fees Effective for the 2020-2021 School Year

One Activity/Sport:
Per Student $180.00

Maximum per School Year*:
Per Family $540.00

*This includes siblings who participate in activities/sports at the same school or at different schools

5140P

STUDENTS

STUDENT WELFARE

Student welfare and safety shall receive the highest priority in all aspects of the school program. Each student activity shall be developed consistent with the appropriate abilities and limitations of students in the age group and with careful attention given to the student safety.

(cf. 5142 – Student Safety)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

POLICY ADOPTED: April 9, 2002
REVISED: June 9, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5141P

STUDENTS

HEALTH

All students must meet the health requirements established by the Colchester schools.

The school nurse should be informed whenever a student enters the Colchester School System so the nurse may bring the health record up to date.

(cf. 5141.3 – Health Assessment & Immunizations)

Legal Reference: Connecticut General Statutes

10-206 Health assessments
10-206a Free health assessments
10-208 Exemption from examination or treatment
10-209 Records not to be public
10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects.
10-221 Boards of education to prescribe rules

POLICY ADOPTED: May 14, 2002
REVISED: June 9, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5141.21P
STUDENTS

ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS

A. Definitions

Administration of medication means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant, and, for interscholastic and intramural athletic events only, a podiatrist.

Before or After School Program means any child care program operated and administered by a local or regional board of education exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs do not include public or private entities licensed by the Office of Early Childhood or board of education enhancement programs and extra-curricular activities.

Cartridge Injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions.

Coach means any person holding a coaching permit who is hired by a local or regional board of education to coach for a sport season.

Controlled drugs means those drugs as defined in Conn. Gen. Stat. Section 21a-240.

Cumulative health record means the cumulative health record of a pupil mandated by Conn. Gen. Stat. Section 10-206.

Director means the person responsible for the day-to-day operations of any school readiness program or before-and-after school program.

Eligible student means a student who has reached the age of eighteen or is an emancipated minor.

Error means:

(1) the failure to do any of the following as ordered:

(a) administer a medication to a student;
(b) administer medication within the time designated by the prescribing physician;
(c) administer the specific medication prescribed for a student;
(d) administer the correct dosage of medication;
(e) administer medication by the proper route;
(f) administer the medication according to generally accepted standards of practice; or

(2) the administration of medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine or naloxone for the purpose of emergency first aid as set forth in Sections D and E below.

Guardian means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

Intramural athletic events means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

Interscholastic athletic events means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests that are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills and transportation to and from such events.

Investigational drug means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

Licensed athletic trainer means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.

Medication means any medicinal preparation, both prescription and non-prescription, including controlled drugs, as defined in Conn. Gen. Stat. Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication Emergency means a life-threatening reaction of a student to a medication.

Medication plan means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

Medication order means the authorization by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378, Conn. Gen. Stat.

Occupational Therapist means an occupational therapist employed full time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.

Optometrist means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

Paraprofessional means a health care aide or assistant or an instructional aide or assistant employed by the local or regional board of education who meets the requirements of such board of employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Physician means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

Podiatrist means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

Principal means the administrator in the school.

Research or study medications means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School nurse means a nurse appointed in accordance with Conn. Gen. Stat. Section 10-212.

School nurse supervisor means the nurse designated by the local or regional board of education as the supervisor or, if no designation has been made by the board, the lead or coordinating nurse assigned by the board.

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Teacher means a person employed full time by the Board who has met the minimum standards as established by the Board for performance as a teacher and has been approved by the school medical advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

B. General Policies On Administration of Medications

(1) Except as provided below in Section D, no medication, including non-prescription drugs, may be administered by any school personnel without:

(a) the written medication order of an authorized prescriber;
(b) the written authorization of the student's parent or guardian or eligible student; and
(c) the written permission of a parent for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of such medication.

(2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.

(3) Except as provided in Section D, medications may be administered only by a licensed nurse or, in the absence of a licensed nurse, by:

(a) a full-time principal, a full-time teacher, or a full-time licensed physical or occupational therapist employed by the school district. A full-time principal, teacher, licensed physical or occupational therapist employed by the school district may administer oral, topical, intranasal or inhalant medications. Such individuals may administer injectable medications only to a student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death.

(b) students with chronic medical conditions who are able to possess, self-administer, or possess and self-administer medication, provided all of the following conditions are met:

(i) an authorized prescriber provides a written medication order, including the recommendation for possession, self-administration, or possession and self-administration;

(ii) there is a written authorization for possession, self-administration, or possession and self-administration from the student's parent or guardian or eligible student;

(iii) the school nurse has developed a plan for possession, self-administration, or possession and self-administration, and general supervision, and has documented the plan in the student's cumulative health record;

(iv) the school nurse has assessed the student's competency for self-administration and deemed it safe and appropriate, including that the student: is capable of identifying and selecting the appropriate medication by size, color, amount or other label identification; knows the frequency and time of day for which the medication is ordered; can identify the presenting symptoms that require medication; administers the medication

appropriately; maintains safe control of the medication at all times; seeks adult supervision whenever warranted; and cooperates with the established medication plan;

(v) the principal, appropriate teachers, coaches and other appropriate school personnel are informed the student is possessing, self-administering, or possessing and self-administering prescribed medication;

(vi) such medication is transported to school and maintained under the student's control in accordance with this policy; and

(vii) controlled drugs, as defined in this policy, may not be possessed or self-administered by students, except in extraordinary situations, such as international field trips, with approval of the school nurse supervisor and the school medical advisor in advance and development of an appropriate plan.

(c) a student diagnosed with asthma who is able to self-administer medication shall be permitted to retain possession of an asthmatic inhaler at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:

(i) an authorized prescriber provides a written order requiring the possession of an inhaler by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student’s self-administration of medication, and such written order is provided to the school nurse;

(ii) there is a written authorization from the student's parent or guardian regarding the possession of an inhaler by the student at all times in order to protect the child against

serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;

(iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer an inhaler for asthma in the school setting shall not be used to prevent a student from retaining and self-administering an inhaler for asthma. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and

(iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.

(d) a student diagnosed with an allergic condition who is able to self-administer medication shall be permitted to retain possession of a cartridge injector at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:

(i) an authorized prescriber provides a written order requiring the possession of a cartridge injector by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's possession, self-administration, or possession and self-administration of medication, and such written order is provided to the school nurse;

(ii) there is a written authorization from the student's parent or guardian regarding the possession of a cartridge injector by the student at all times in order to protect the child against serious harm or death and authorizing the

student's possession, self-administration, or possession and self-administration of medication, and such written authorization is provided to the school nurse;

(iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering a cartridge injector for medically-diagnosed allergies. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and

(iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.

(e) a student with a medically diagnosed life-threatening allergic condition may possess, self-administer, or possess and self-administer medication, including but not limited to medication administered with a cartridge injector, to protect the student against serious harm or death, provided the following conditions are met:

(i) the parent or guardian of the student has provided written authorization for the student to possess, self-administer, or possess and self-administer such medication; and

(ii) a qualified medical professional has provided a written order for the possession, self-administration, or possession and self-administration.

(f) a coach of intramural or interscholastic athletic events or licensed athletic trainer who has been trained in the administration of medication, during intramural or interscholastic athletic events, may administer inhalant medications prescribed to treat

respiratory conditions and/or medication administered with a cartridge injector for students with medically diagnosed allergic conditions which may require prompt treatment to protect the student against serious harm or death, provided all of the following conditions are met:

(i) the school nurse has determined that a self-administration plan is not viable;

(ii) the school nurse has provided to the coach a copy of the authorized prescriber's order and parental permission form;

(iii) the parent/guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section K of this policy, and such medication is separate from the medication stored in the school health office for use during the school day; and

(iv) the coach or licensed athletic trainer agrees to the administration of emergency medication and implements the emergency care plan, identified in Section H of this policy, when appropriate.

(g) an identified school paraprofessional who has been trained in the administration of medication, provided medication is administered only to a specific student in order to protect that student from harm or death due to a medically diagnosed allergic condition, except as provided in Section D below, and the following additional conditions are met:

(i) there is written authorization from the student's parents/guardian to administer the medication in school;

(ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370 of the Connecticut General Statutes, (B) an optometrist licensed to practice optometry under chapter 380 of the

Connecticut General Statutes, (C) an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a of the Connecticut General Statutes, or (D) a physician assistant licensed to prescribe in accordance with section 20-12d of the Connecticut General Statutes;

(iii) medication is administered only with approval by the school nurse and school medical advisor, if any, in conjunction with the school nurse supervisor and under the supervision of the school nurse;

(iv) the medication to be administered is limited to medications necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector; and

(v) the paraprofessional shall have received proper training and supervision from the school nurse in accordance with this policy and state regulations.

(h) a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional, provided medication is antiepileptic medication, including by rectal syringe, administered only to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan, and the following additional conditions are met:

(i) there is written authorization from the student's parents/guardians to administer the medication;

(ii) a written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;

(iii) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board,

coach or school paraprofessional is selected by the school nurse and school medical advisor, if any, and voluntarily agrees to administer the medication;

(iv) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut, and the school nurse and medical advisor, if any, have attested, in writing, that such training has been completed; and

(v) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional receives monthly reviews by the school nurse to confirm competency to administer antiepileptic medication.

(i) a director of a school readiness program or a before or after school program, or the director's designee, provided that the medication is administered:

(i) only to a child enrolled in such program; and

(ii) in accordance with Section L of this policy.

(j) a licensed practical nurse, after the school nurse has established the medication plan, provided that the licensed practical nurse may not train or delegate the administration of medication to another individual, and provided that the licensed practical nurse can demonstrate one of the following:

(i) training in administration of medications as part of their basic nursing program;

(ii) successful completion of a pharmacology course and subsequent supervised experience; or

(iii) supervised experience in the administration of medication while employed in a health care facility.

(4) Medications may also be administered by a parent or guardian to his/her own child on school grounds.

(5) Investigational drugs or research or study medications may be administered only by a licensed nurse. For FDA-approved medications being administered according to a study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

C. Diabetic Students

(1) The Colchester Board of Education (the "Board") permits blood glucose testing by students who have a written order from a physician or an advanced practice registered nurse stating the need and capability of such student to conduct self-testing.

(2) The Board will not restrict the time or location of blood glucose testing by a student with diabetes on school grounds who has written authorization from a parent or guardian and a written order from a physician or an advanced practice registered nurse stating that such child is capable of conducting self-testing on school grounds.

(3) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:

(a) The student's parent or guardian has provided written authorization;

(b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;

(iii) supervised experience in the administration of medication while employed in a health care facility.

(4) Medications may also be administered by a parent or guardian to his/her own child on school grounds.

(5) Investigational drugs or research or study medications may be administered only by a licensed nurse. For FDA-approved medications being administered according to a study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

C. Diabetic Students

(1) The Colchester Board of Education (the "Board") permits blood glucose testing by students who have a written order from a physician or an advanced practice registered nurse stating the need and capability of such student to conduct self-testing.

(2) The Board will not restrict the time or location of blood glucose testing by a student with diabetes on school grounds who has written authorization from a parent or guardian and a written order from a physician or an advanced practice registered nurse stating that such child is capable of conducting self-testing on school grounds.

(3) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:

(a) The student's parent or guardian has provided written authorization;

(b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;

(c) The school employee is selected by either the school nurse or principal and is a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional;

(d) The school nurse shall provide general supervision to the selected school employee;

(e) The selected school employee annually completes any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon;

(f) The school nurse and school medical advisor have attested in writing that selected school employee completed the required training; and

(g) The selected school employee voluntarily agrees to serve as one who may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death.

D. Epinephrine for Purposes of Emergency First Aid Without Prior Authorization

(1) For purposes of this Section D, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day.

(2) The school nurse shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine.

(a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors that shall be available in the individual school.

(b) In determining the appropriate supply of epinephrine in cartridge injectors, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.

(3) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) to maintain and administer the epinephrine in cartridge injectors for the purpose of emergency first aid as described in Paragraph (2) above, in the absence of the school nurse.

(a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.

(b) The selected personnel, before conducting such administration, must annually complete the training made available by the Department of Education for the administration of epinephrine in cartridge injectors for the purpose of emergency first aid.

(c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors for the purpose of emergency first aid.

(4) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (3) above shall be on the grounds of each school during regular school hours.

(a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that a nurse or selected and trained personnel is present on the grounds of each school during regular school hours.

(b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall send an email to all staff indicating that the selected and trained personnel identified in Paragraph (3) above shall be responsible for the emergency administration of epinephrine.

(5) The administration of epinephrine pursuant to this section must be done in accordance with this policy, including but not limited to the requirements for documentation and record keeping, errors in medication, emergency medical procedures, and the handling, storage and disposal of medication, and the Regulations adopted by the Department of Education.

(6) The parent or guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that epinephrine shall not be administered to such student pursuant to this section.

(a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of epinephrine.

(b) The Board shall annually notify parents or guardians of the need to provide such written notice.

(7) Following the emergency administration of epinephrine by selected and trained personnel as identified in this section:

(a) Such emergency administration shall be reported immediately to:

(i) The school nurse or school medical advisor, if any, by the personnel who administered the epinephrine; and

(ii) The student's parent or guardian, by the school nurse or personnel who administered the epinephrine.

(b) A medication administration record shall be:

(i) Submitted to the school nurse by the personnel who administered the epinephrine as soon as possible, but no later than the next school day; and

(ii) filed in or summarized on the student's cumulative health record, in accordance with Section E of this policy.

E. Documentation and Record Keeping

(1) Each school or before-and-after school program and school readiness program where medications are administered shall maintain an individual medication administration record for each student who receives medication during school or program hours. This record shall include the following information:

(a) the name of the student;
(b) the student's state-assigned student identifier (SASID);
(c) the name of the medication;
(d) the dosage of the medication;
(e) the route of the administration,
(i.e. oral, topical, inhalant, etc.);
(f) the frequency of administration;
(g) the name of the authorized prescriber;
(h) the dates for initiating and terminating the administration of medication, including extended-year programs;
(i) the quantity received at school and verification by the adult delivering the medication of the quantity received;
(j) the date the medication is to be reordered (if any);
(k) any student allergies to food and/or medication(s);
(l) the date and time of each administration or omission, including the reason for any omission;
(m) the dose or amount of each medication administered;
(n) the full written or electronic legal signature of the nurse or other authorized school personnel administering the medication; and

(o) for controlled medications, a medication count which should be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.

(2) All records are either to be made in ink and shall not be altered, or recorded electronically in a record that cannot be altered.

(3) Written orders of authorized prescribers, written authorizations of parent or guardian, the written parental permission for the exchange of information by the prescriber and school nurse to ensure safe administration of such medication, and the completed medication administration record for each student shall be filed in the student's cumulative health record or, for before-and-after school programs and school readiness programs, in the child's program record.

(4) Authorized prescribers may make verbal orders, including telephone orders, for a *change* in medication order. Such verbal orders may be received only by a school nurse and must be followed by a written order, which may be faxed, and must be received within three (3) school days.

(5) Medication administration records will be made available to the Department of Education for review until destroyed pursuant to Section 11-8a and Section 10-212a(b) of the Connecticut General Statutes.

(a) The completed medication administration record for non-controlled medications may, at the discretion of the school district, be destroyed in accordance with Section M8 of the Connecticut Record Retention Schedules for Municipalities, so long as it is superseded by a summary on the student health record.

(b) The completed medication administration record for controlled medications shall be maintained in the same manner as the non-controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three (3) years pursuant to Section 10-212a(b) of the Connecticut General Statutes.

(6) Documentation of any administration of medication by a coach or licensed athletic trainer shall be completed on forms provided by the school and the following procedures shall be followed:

(a) a medication administration record for each student shall be maintained in the athletic offices;

(b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;

(c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and

(d) the administration of medication record must be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

F. Errors In Medication Administration

(1) Whenever any error in medication administration occurs, the following procedures shall apply:

(a) the person making the error in medication administration shall immediately implement the medication emergency procedures in this Policy if necessary;

(b) the person making the error in medication administration shall in all cases immediately notify the school nurse, principal, school nurse supervisor, and authorized prescriber. The person making the error, in conjunction with the principal, shall also immediately notify the parent or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s); and

(c) the principal shall notify the Superintendent or the Superintendent's designee.

(2) The school nurse, along with the person making the error, shall complete a report using the authorized medication error report form. The report shall include any corrective action taken.

(3) Any error in the administration of medication shall be documented in the student's cumulative health record or, for before-and-after school programs and school readiness programs, in the child's program record.

(4) These same procedures shall apply to coaches and licensed athletic trainers during intramural and interscholastic events, except that if the school nurse is not available, a report must be submitted by the coach or licensed athletic trainer to the school nurse the next school day.

G. Medication Emergency Procedures

(1) Whenever a student has a life-threatening reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.

(2) Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances:

(a) use of the 911 emergency response system;
(b) application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
(c) administration of emergency medication in accordance with this policy;
(d) contact with a poison control center; and
(e) transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.

(3) As soon as possible, in light of the circumstances, the principal shall be notified of the medication emergency. The principal shall immediately thereafter contact the Superintendent or the Superintendent's designee, who shall thereafter notify the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

H. Supervision

(1) The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned.

(2) The school nurse's duty of general supervision includes, but is not limited to, the following:

(a) availability on a regularly scheduled basis to:

(i) review orders or changes in orders and communicate these to personnel designated to give medication for appropriate follow-up;

(ii) set up a plan and schedule to ensure medications are given properly;

(iii) provide training to licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, which training shall pertain to the administration of medications to students, and assess the competency of these individuals to administer medication;

(iv) support and assist other licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, to prepare for and implement their responsibilities related to the administration of specific medications during school hours and during intramural and interscholastic athletics as provided by this policy;

(v) provide appropriate follow-up to ensure the administration of medication plan results in desired student outcomes, including providing proper notification to appropriate employees or contractors regarding the contents of such medical plans; and

(vi) provide consultation by telephone or other means of telecommunications, which consultation may be provided by an authorized prescriber or other nurse in the absence of the school nurse.

(b) In addition, the school nurse shall be responsible for:

(i) implementing policies and procedures regarding the receipt, storage, and administration of medications;

(ii) reviewing, on a periodic basis, all documentation pertaining to the administration of medications for students;

(iii) performing observations of the competency of medication administration by full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with

Section B(3)(g), above, who have been newly trained to administer medications; and,

(iv) conducting periodic reviews, as needed, with licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, regarding the needs of any student receiving medication.

I. Training of School Personnel

(1) Full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, who are designated to administer medications shall at least annually receive training in their safe administration, and only trained full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3) (f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall be allowed to administer medications.

(2) Training for full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall include, but is not necessarily limited to, the following:

(a) the general principles of safe administration of medication;

(b) the procedures for administration of medications, including the safe handling and storage of medications, and the required record-keeping; and

(c) specific information related to each student's medication plan, including the name and generic name of the medication, indications for medication dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed doses of the medication, and when to implement emergency interventions.

(3) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) who administer epinephrine as emergency first aid, pursuant to Section D above, shall annually complete the training program developed by the Departments of Education and Public Health and training in cardiopulmonary resuscitation and first aid.

(4) The Board shall maintain documentation of medication administration training as follows:

(a) dates of general and student-specific trainings;

(b) content of the trainings;

(c) individuals who have successfully completed general and student-specific administration of medication training for the current school year; and

(d) names and credentials of the nurse or school medical advisor, if any, trainer or trainers.

(5) Licensed practical nurses may not conduct training in the administration of medication to another individual.

J. Handling, Storage and Disposal of Medications

(1) All medications, except those approved for transporting by students for self-medication, those administered by coaches of intramural or interscholastic athletics or licensed athletic trainers in accordance with Section B(3)(f) above, and epinephrine or naloxone to be used for emergency first aid in accordance with Sections D and E above, must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school or, in the absence of such nurse, the school principal who has been trained in the appropriate administration of medication. Medications administered by coaches of intramural or interscholastic athletics or licensed athletic trainers must be delivered by the parent or guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(f)above.

(2) The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and, except for epinephrine and naloxone to be used as emergency first aid in accordance with Sections D and E above, shall develop a medication administration plan for the student before any medication is given to the student by any school personnel. No medication shall be stored at a school without a current written order from an authorized prescriber.

(3) The school nurse shall review all medication refills with the medication order and parent authorization prior to the administration of medication, except for epinephrine and naloxone intended for emergency first aid in accordance with Sections D and E above.

(4) Emergency Medications

(a) Except as otherwise determined by a student’s emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container in the health room during school hours under the general supervision of the school nurse or, in the absence of the school nurse, the principal or the principal’s designee who has been trained in the administration of medication.

(b) Emergency medication shall be locked beyond the regular school day or program hours, except as otherwise determined by a student's emergency care plan.

(5) All medications, except those approved for keeping by students for self-medication, shall be kept in a designated and locked location used exclusively for the storage of medication. Controlled substances shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.

(6) Access to stored medications shall be limited to persons authorized to administer medications. Each school or before-and-after school program and school readiness program shall maintain a current list of such authorized persons.

(7) All medications, prescription and non-prescription, shall be delivered and stored in their original containers and in such a manner that renders them safe and effective.

(8) At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before-and-after school program and school readiness program. One set of keys shall be maintained under the direct control of the school nurse or nurses and an additional set shall be under the direct control of the principal and, if necessary, the program director or lead teacher who has been trained in the general principles of the administration of medication shall also have a set of keys.

(9) Medications that must be refrigerated shall be stored in a refrigerator at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator must be located in the health office that is maintained for health services with limited access. Non-controlled medications may be stored directly on the refrigerator shelf with no further protection needed. Controlled medication shall be stored in a locked box that is affixed to the refrigerator shelf.

(10) All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian or, if the

medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse:

(a) non-controlled drugs shall be destroyed in the presence of at least one witness;

(b) controlled drugs shall be destroyed in pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies; and

(c) accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue, and jointly documented on the student medication administration record and on a medication error form pursuant to Section 10-212a(b) of the Connecticut General Statutes. If no residue is present, notification must be made to the Department of Consumer Protection pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.

(11) Medications to be administered by coaches of intramural or interscholastic athletic events or licensed athletic trainers shall be stored:

(a) in containers for the exclusive use of holding medications;

(b) in locations that preserve the integrity of the medication;

(c) under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and

(d) in a locked secured cabinet when not under the general supervision of the coach or licensed athletic trainer during intramural or interscholastic athletic events.

(12) In no event shall a school store more than a three (3) month supply of a medication for a student.

K. School Readiness Programs and Before-and-After School Programs

(1) As determined by the school medical advisor, if any, and school nurse supervisor, the following procedures shall apply to the administration of medication during school readiness programs and before-and-after school programs run by the Board, which are exempt from licensure by the Office of Early Childhood:

(a) Administration of medication at these programs shall be provided only when it is medically necessary for participants to access the program and maintain their health status while attending the program.

(b) Except as provided by Sections D and E above, no medication shall be administered in these programs without:

(i) the written order of an authorized prescriber; and

(ii) the written authorization of a parent or guardian or an eligible student.

(c) A school nurse shall provide consultation to the program director, lead teacher or school administrator who has been trained in the administration of medication regarding the safe administration of medication within these programs. The school medical advisor and school nurse supervisor shall determine whether, based on the population of the school readiness program and/or before-and-after school program, additional nursing services are required for these programs.

(d) Only school nurses, directors or directors' designees, lead teachers or school administrators who have been properly trained may administer medications to students as delegated by the school nurse or other registered nurse. Properly trained directors or directors' designees, lead teachers or school administrators may administer oral, topical, intranasal or inhalant medications. Investigational drugs or research or study medications may not be administered in these programs.

(e) Students attending these programs may be permitted to self-medicate only in accordance with the provisions of Section B(3) of this policy. In such a case, the school nurse must provide the program director, lead teacher or school administrator running the program with the medication order and parent permission for self-administration.

(f) In the absence of the school nurse during program administration, the program director, lead teacher or school administrator is responsible for decision-making regarding medication administration.

(g) Cartridge injector medications may be administered by a director, lead teacher or school administrator only to a student with a medically-diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

(2) Local poison control center information shall be readily available at these programs.

(3) Procedures for medication emergencies or medication errors, as outlined in this policy, must be followed, except that in the event of a medication error a report must be submitted by the program director, lead teacher or school administrator to the school nurse the next school day.

(4) Training for directors or directors' designees, lead teachers or school administrators in the administration of medication shall be provided in accordance with Section ~~I~~J of this policy.

(5) All medications must be handled and stored in accordance with Section K of this policy. Where possible, a separate supply of medication shall be stored at the site of the before-and-after or school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

(6) Documentation of any administration of medication shall be completed on forms provided by the school and the following procedures shall be followed:

(a) a medication administration record for each student shall be maintained by the program;

(b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;

(c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and

(d) the administration of medication record must be submitted to the school nurse at the end of each school year and filed in the student's cumulative health record.

(7) The procedures for the administration of medication at school readiness programs and before-and-after school programs shall be reviewed annually by the school medical advisor, if any, and school nurse supervisor.

L. Review and Revision of Policy

In accordance with the provisions of Conn. Gen. Stat. Section 10-212a(a)(2), the Board shall review this policy periodically, and at least biennially, with the advice and approval of the school medical advisor, if any, or other qualified licensed physician, and the school nurse supervisor. Any proposed revisions to the policy must be made with the advice and approval of the school medical advisor, school nurse supervisor or other qualified licensed physician.

Legal References:

Connecticut General Statutes:
Section 10-206

Section 10-212
Section 10-212a
Section 10-220j
Section 19a-900
Section 21a-240
Section 52-557b

Public Act 18-185, "An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools"

Regulations of Conn. State Agencies:
Sections 10-212a-1 through 10-212a-10, inclusive

Memorandum of Decision, In Re: Declaratory Ruling/Delegation by Licensed Nurses to Unlicensed Assistive Personnel, Connecticut State Board of Examiners for Nursing (April 5, 1995)

ADOPTED: August 26, 2015

REVISED: November 13, 2018

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Colchester Public Schools

127 Norwich Avenue, Suite 202
Colchester, CT 06415

Jeffrey E. Burt
Superintendent of Schools

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REFUSAL TO PERMIT ADMINISTRATION OF EPINEPHRINE FOR EMERGENCY FIRST AID

Name of Child:_____ Date of Birth:_____

Address of Child:_____

Name of Parent(s): _____

Address of Parent(s):_____
(if different from child)

Connecticut law requires the school nurse and other qualified school personnel in all public schools to maintain epinephrine in cartridge injectors (EpiPens) for the purpose of administering emergency first aid to students who experience allergic reactions and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine. State law permits the parent or guardian of a student to submit a written directive to the **school nurse or school medical advisor** that epinephrine shall not be administered to such student in emergency situations. This form is provided for those parents who refuse to have epinephrine administered to their child. The refusal is valid for only for the 2018-2019 school year.

I, _____, the parent/guardian of _____, refuse to permit the administration of epinephrine to the above named student for purposes of emergency first aid in the case of an allergic reaction.

_____ _____
Signature of Parent/Guardian Date

Please return the completed original form to your child's school nurse.
11/2018

Colchester Public Schools

5141.214P

STUDENTS

SUNSCREEN APPLICATION IN SCHOOL

The Colchester Board of Education (the "Board") permits the application of sunscreen by students within the Colchester Public Schools (the "District"), in accordance with State law. Specifically, notwithstanding the provisions of Connecticut General Statutes § 10-212a and the Board's policy and/or administrative regulations concerning the administration of medication in school, any student who is six (6) years of age or older may possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity.

For a student to apply sunscreen prior to engaging in any outdoor activity, the following elements must be met:

1. The student's parent or guardian must sign the Board's written authorization and submit the authorization to the school nurse; and

2. The student and the student's parent or guardian, where applicable, must comply with any individual school procedures concerning the possession and self-application of sunscreen in school.

The Board authorizes the Superintendent or his/her designee to develop administrative regulations to implement this policy.

Legal References:

Conn. Gen. Stat. § 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs

Public Act 19-60, "An Act Allowing Students to Apply Sunscreen Prior to Engaging in Outdoor Activities"

POLICY ADOPTED: January 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5141.214R

STUDENTS

ADMINISTRATIVE REGULATIONS CONCERNING SUNSCREEN APPLICATION IN SCHOOL

The Colchester Public Schools (the "District") permits the application of sunscreen by students within the District, in accordance with State law and Board of Education policy and administrative regulations. Specifically, notwithstanding the provisions of Connecticut General Statutes § 10-212a and the Board's policy and/or administrative regulations concerning the administration of medication in school, any student who is six (6) years of age or older may possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity.

A. For a student to apply sunscreen prior to engaging in any outdoor activity, the following elements must be met:

    1. The student's parent or guardian must sign the Board's written authorization and submit the authorization to the school nurse; and
    2. The student and the student's parent or guardian, where applicable, must comply with individual school procedures concerning the possession and self-application of sunscreen in school.

B. Individual schools shall develop processes and procedures for the self-application of over-the-counter sunscreen in school by students age six (6) and older prior to engaging in an outdoor activity, which processes and procedures must include that (a) the student's parent or guardian must sign the Board's written authorization and submit the authorization to the school nurse and (b) a student may only apply sunscreen that belongs to and has been brought into school by the individual student; and may include the following:

    1. The location for self-application of sunscreen.
    2. The time during the school day and in school of self-application.
    3. The labeling of the sunscreen.

Legal References:

Conn. Gen. Stat. § 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs

Public Act 19-60, "An Act Allowing Students to Apply Sunscreen Prior to Engaging in Outdoor Activities"

REGULATION ADOPTED: January 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5141.214R
Form #1

Colchester Public Schools

127 Norwich Avenue, Suite 202
Colchester, CT 06415

"We create innovative thinkers for a dynamic world"

Jeffrey E. Burt
Superintendent of Schools

Phone (860) 537-7208
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WRITTEN AUTHORIZATION FOR THE
POSSESSION AND APPLICATION OF SUNSCREEN IN SCHOOL

Name of Child:_____ Date of Birth:_____

Address of Child: _____

Name of
Parent(s):_____

Address of
Parent(s):_____
(if different from child)

Connecticut law permits students six (6) years of age or older to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity, with signed parent/guardian consent.

I, _____, the parent/guardian of _____,
Print name of parent/guardian Print name of student

permit my child to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity. I understand and agree that the Colchester Board of Education assumes no responsibility or liability whatsoever with regard to the possession or application of the over-the-counter sunscreen, including but not limited to whether, or the manner in which, the sunscreen is applied; the expiration of the sunscreen; and/or any reaction the student may have to the application of the sunscreen.

_____ _____
Signature of Parent/Guardian Date

Please return the completed original form to your child's school nurse.

Colchester Public Schools

5141.22P

STUDENTS

COMMUNICABLE/INFECTIOUS DISEASES

The Board of Education recognizes that all children in Connecticut have a constitutional right to a free, suitable program of educational experiences. The Board will establish reasonable health requirements as prerequisites to admission or attendance including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others due to the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. Where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission exclusion is not warranted.

A child with an infectious disease may be considered eligible for Section 504 accommodations and modifications if the child presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act may apply. The parent/guardian or the school administration may make a referral for determination whether the student is entitled to protection under Section 504. The student will be educated in the least restrictive environment.

(cf. 5111 - Admission) (cf. 5141.3 - Health Assessments and Immunizations) (cf. 6155 - Individualized Education Program)

Legal Reference: Connecticut General Statutes

Section 504 of the Rehabilitation Act of 1973,29 U.S.C. 70617)(b)
"Americans with Disabilities Act"

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

10-76(a)(15) Duties and powers of boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-209 Records not to be public.

10-210 Notice of disease to be given to a parent or guardian.

19a-221 Quarantine of certain persons.

19a-581-585 AIDS testing and medical information.

Policy adopted: May 14, 2002
Revised: December 8, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Personnel – Certified
Students

Psychotropic Drug Use

The Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any student. For the purposes of this policy, the term 'recommend' shall mean to directly or indirectly suggest that a student should use psychotropic drugs.

Psychotropic drugs are defined as prescription medications for behavioral or social-emotional concerns, such as attention deficits, impulsivity, anxiety, depression, and thought disorders, and include but are not limited to stimulant medications and anti-depressants.

School nurses, school psychologists, and/or the district's Medical Advisor may recommend to a parent/guardian that their student be evaluated by an appropriate medical practitioner.

The District shall follow procedures for identification, evaluation, placement and delivery of services to students with disabilities or suspected disabilities provided in state and federal statutes that govern special education.

Nothing is this policy shall be construed to prohibit a Planning and Placement Team from discussing with parents and/or guardians of a student the appropriateness of consultation with, or evaluation by, medical practitioners, or to prohibit school personnel from consulting with appropriate medical practitioners with the consent of the parents and/or guardians of a student.

The Superintendent of Schools shall promulgate this policy to district staff and parents/guardians of students annually and upon the registration of new students.

Legal References: Connecticut General Statutes

10-212b	Policies prohibiting the recommendation of psychotropic drugs by school personnel (as amended by PA 03-211)
46b-120	Definitions
10-76a	Definitions (as amended by PA 00-48)
10-76b	State supervision of special education programs and services
10-76d	Duties and powers of boards of education to provide special education programs and services (as amended by PA 97-114 and PA 00-48)
10-76h	Special education hearing and review procedure. Mediation of disputes (as amended by PA 00-48)
34 C.F.R. 3000	Assistance to States for Education for Handicapped Children

Personnel – Certified
Students

Psychotropic Drug Use

Legal References: Connecticut General Statutes – continued

State Board of Education Regulations
American with Disabilities Education Act, 42 U.S.C. § 12101 et seq.
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794

Policy Adopted: November 19, 2001
Policy revised: December 9, 2003
Policy revised: April 10, 2007

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

STUDENTS WITH FOOD ALLERGIES AND/OR GLYCOGEN STORAGE DISEASE MANAGEMENT PLAN AND GUIDELINES POLICY

The Colchester Public Schools recognize that food allergies and glycogen storage disease may be life threatening. For this reason, the district is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The district is also committed to appropriately managing and supporting students with glycogen storage disease. The district further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy and/or glycogen storage disease, as developmentally appropriate. To this end, the Colchester Public Schools adopt the following guidelines related to the management of life threatening food allergies and glycogen storage disease for students enrolled in district schools.

I. Identifying Students with Life-Threatening Food Allergies and/or Glycogen Storage Disease

Early identification of students with life-threatening food allergies and/or glycogen storage disease (GSD) is important. The district therefore encourages parents/guardians of children with a life-threatening food allergy to notify the school of the allergy, providing as much medical documentation about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy. The district also encourages parents/guardians of children with GSD to notify the school of the disease, providing as much medical documentation about the type of GSD, nature of the disease, and current treatment of the student.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the district obtains medical documentation that a child has a life-threatening food allergy or GSD, the district shall develop an individualized health care plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.

2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s), classroom teacher(s) and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.

3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the allergic student's risk for exposure. For the student with GSD, the IHCP may include strategies designed to ameliorate risks associated with such disease and support the student's participation in the classroom. IHCPs for such students may include such considerations:

    a. classroom environment, including allergy free considerations, or allowing the student with GSD to have food/dietary supplements when needed;
    b. cafeteria safety;
    c. participation in school nutrition programs;
    d. snacks, birthdays and other celebrations;
    e. alternatives to food rewards or incentives;
    f. hand-washing;
    g. location of emergency medication;
    h. who will provide emergency and routine care in school;
    i. risk management during lunch and recess times;
    j. special events;
    k. field trips, fire drills and lockdowns;
    l. extracurricular activities;
    m. school transportation;
    n. the provision of food or dietary supplements by the school nurse, or any school employee approved by the school nurse;
    o. staff notification, including substitutes, and training; and
    p. transitions to new classrooms, grades and/or buildings.

4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or following an emergency event requiring the administration of medication or the implementation of other emergency protocols.

5. For a student with GSD, the IHCP shall not prohibit a parent or guardian, or a person designated by such parent or guardian, to provide food or dietary supplements to a student with GSD on school grounds during the school day.

6. In addition to the IHCP, the district shall also develop an Emergency Care Plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with a life-threatening food allergy, the ECP should include the following information:

a. The child's name and other identifying information, such as date of birth, grade and photo;
b. The child's specific allergy;
c. The child's signs and symptoms of an allergic reaction;
d. The medication, if any, or other treatment to be administered in the event of exposure;
e. The location and storage of the medication;
f. Who will administer the medication (including self-administration options, as appropriate);
g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and
i. Emergency contact information for the parents/family and medical provider.

7. In addition to the IHCP, the district shall also develop an ECP for each child identified as having GSD. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with GSD, the ECP should include the following information:

a. The child's name and other identifying information, such as date of birth, grade and photo;
b. Information about the disease or disease specific information (i.e. type of GSD);
c. The child's signs and symptoms of an adverse reaction (such as hypoglycemia);
d. The medication, if any, or other treatment to be administered in the event of an adverse reaction or emergency (i.e. Glucagon)
e. The location and storage of the medication;
f. Who will administer the medication (including self-administration options, as appropriate);
g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and
i. Emergency contact information for the parents/family and medical provider.

8. In developing the ECP, the school nurse should obtain current medical documentation from the parents/family and the student's health care provider, including the student's emergency plan and proper medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the child's health care providers to clarify medical needs, emergency medical protocol and medication orders.

9. A student identified as having a life-threatening food allergy or GSD is entitled to an IHCP and an ECP, regardless of his/her status as a child with a disability, as that term is understood under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), or the Individuals with Disabilities Education Act ("IDEA").

10. The district shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP, and that any procedures in the IHCP and/or ECP comply with the district's policies and procedures regarding the administration of medications to students.

11. Whenever appropriate, a student with a life-threatening food allergy and/or GSD should be referred to a Section 504 Team for consideration if/when there is reason to believe that the student has a physical or mental impairment that substantially limits one or more major life activities, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies and/or GSD should be referred to a PPT for consideration of eligibility for special education and related services under the IDEA, if there is reason to suspect that the student has a qualifying disability and requires specialized instruction.

12. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The district shall provide appropriate education and training for school personnel regarding the management of students with life threatening food allergies and GSD. Such training may include an overview of life-threatening food allergies and GSD; prevention strategies; IHCPs and ECPs; and food safety and sanitation. Training shall also include the administration of medication with cartridge injectors (i.e. Epi-pens), and/or the specific preventative strategies to minimize the risk of exposure to life-threatening allergens and prevent adverse reactions in students with GSD (such as the provision of food or dietary supplements for students). School personnel will be also be educated on how to recognize symptoms of allergic reactions and/or symptoms of low blood sugar, as seen with GSD, and what to do in the event of an emergency. Staff training and education will be coordinated by the Director of Teaching and Learning in consultation with the Nurse Supervisor. Any such training regarding the administration of medication shall be done accordance with state law and Board policy.

2. Each school within the district shall also provide age-appropriate information to students about food allergies and GSD, how to recognize symptoms of an allergic reaction and/or low blood sugar emergency and the importance of adhering to the school's policies regarding food and/or snacks.

IV. Prevention

Each school within the district will develop appropriate practices to minimize the risk of exposure to life threatening allergens and the risks associated with GSD. Practices that may be considered may include, but are not limited to:

1. Encouraging handwashing;
2. Discouraging students from swapping food at lunch or other snack/meal times;
3. Encouraging the use of non-food items as incentives, rewards or in connection with celebrations;
4. Training staff in recognizing symptoms of anaphylaxis and hypoglycemia; and
5. Planning for school emergencies, to include consideration of the need to access medication, food and/or dietary supplements.

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication among parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition and/or GSD. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and/or alterations in blood sugar levels and how to respond in the event of such emergency.

2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.

3. The district shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their child's classroom or school.

4. All district staff are expected to follow district policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.

5. The district shall make the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease available on the Board's website.

6. The district shall provide annual notice to parents and guardians regarding the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such notice shall be provided in conjunction with the annual written statement provided to parents and guardians regarding pesticide applications in the schools.

VI. Monitoring the District's Plan and Procedures

The district should conduct periodic assessments of its Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such assessments should occur at least annually and after each emergency event involving the administration of medication to a student with a life-threatening food allergy or GSD to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

The Superintendent shall annually attest to the Department of Education that the District is implementing the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease.

Legal References:

State Law/Regulations/Guidance:

Conn. Gen. Stat. § 10-212a	Administration of Medications in Schools
Conn. Gen. Stat. § 10-212c	Life-threatening food allergies: Guidelines; district plans
Conn. Gen. Stat. § 10-220i	Transportation of students carrying cartridge injectors
Conn. Gen. Stat. § 10-231c	Pesticide applications at schools without an integrated pest management plan.
Conn. Gen. Stat. § 19a-900	Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.
Conn. Gen. Stat. § 52-557b	"Good Samaritan law." Immunity from liability for emergency, medical assistance, first aid or medication by injector. School personnel not required to administer or render.
Regs. Conn. State Agencies § 10-212a-1 through 10-212a-7	Administration of Medication by School Personnel

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools (Includes Guidelines for Managing Glycogen Storage Disease), Connecticut State Department of Education (Updated 2012).

Federal Law:
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

ADOPTED: November 14, 2017 **(Replaces Policy and Regulation 5141.25)**

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Colchester Public Schools

5141.26R
STUDENTS

MANAGEMENT PLAN AND GUIDELINES FOR STUDENTS WITH FOOD ALLERGIES AND/OR GLYCOGEN STORAGE DISEASE

The Colchester Public Schools (the "District") recognize that food allergies and glycogen storage disease (GSD) may be life threatening. For this reason, the District is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a student suffer an allergic reaction while at school. The District is also committed to appropriately managing and supporting students with GSD. The District further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy and/or GSD, as developmentally appropriate. To this end, the District adopts the following guidelines related to the management of life threatening food allergies and GSD for students enrolled in District schools.

I. Identifying Students with Life-Threatening Food Allergies and/or Glycogen Storage Disease

Early identification of students with life-threatening food allergies and/or GSD is important. The District therefore encourages parents/guardians of students with life-threatening food allergies to notify the school of the allergy, providing as much medical documentation about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy. The District also encourages parents/guardians of students with GSD to notify the school of the disease, providing as much medical documentation about the type of GSD, nature of the disease, and current treatment of the student.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the District obtains medical documentation that a student has a life-threatening food allergy or GSD, the District shall develop an

individualized health care plan (IHCP) for the student. Each IHCP should contain information relevant to the student's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the student.

2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s), classroom teacher(s) and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.

3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the student's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self -care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the allergic student's risk for exposure. For the student with GSD, the IHCP may include strategies designed to ameliorate risks associated with such disease and support the student's participation in the classroom. IHCPs for such students may include such considerations:

    a. classroom environment, including allergy free considerations, or allowing the student with GSD to have food/dietary supplements when needed;
    b. cafeteria safety;
    c. participation in school nutrition programs;
    d. snacks, birthdays and other celebrations;
    e. alternatives to food rewards or incentives;
    f. hand-washing;
    g. location of emergency medication;
    h. who will provide emergency and routine care in school;
    i. risk management during lunch and recess times;
    j. special events;
    k. field trips, fire drills and lockdowns;
    l. extracurricular activities;
    m. school transportation;

n. the provision of food or dietary supplements by the school nurse, or any school employee approved by the school nurse;
o. staff notification, including substitutes, and training; and
p. transitions to new classrooms, grades and/or buildings.

4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or following an emergency event requiring the administration of medication or the implementation of other emergency protocols.

5. For a student with GSD, the IHCP shall not prohibit a parent or guardian, or a person designated by such parent or guardian, to provide food or dietary supplements to a student with GSD on school grounds during the school day.

6. In addition to the IHCP, the District shall also develop an Emergency Care Plan (ECP) for each student identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with a life-threatening food allergy, the ECP should include the following information:

   a. The student's name and other identifying information, such as date of birth, grade and photo;
   b. The student's specific allergy;
   c. The student's signs and symptoms of an allergic reaction;
   d. The medication, if any, or other treatment to be administered in the event of exposure;
   e. The location and storage of the medication;
   f. Who will administer the medication (including self-administration options, as appropriate);
   g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
   h. Recommendations for what to do if the student continues to experience symptoms after the administration of medication; and
   i. Emergency contact information for the parents/family and medical provider.

7. In addition to the IHCP, the District shall also develop an ECP for each student identified as having GSD. The ECP is part of the IHCP and describes the specific directions about what to do in a medical

emergency. For the student with GSD, the ECP should include the following information:

a. The student's name and other identifying information, such as date of birth, grade and photo;
b. Information about the disease or disease specific information (i.e. type of GSD);
c. The student's signs and symptoms of an adverse reaction (such as hypoglycemia);
d. The medication, if any, or other treatment to be administered in the event of an adverse reaction or emergency (i.e. Glucagon)
e. The location and storage of the medication;
f. Who will administer the medication (including self-administration options, as appropriate);
g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
h. Recommendations for what to do if the student continues to experience symptoms after the administration of medication; and
i. Emergency contact information for the parents/family and medical provider.

8. In developing the ECP, the school nurse should obtain current medical documentation from the parents/family and the student's health care provider, including the student's emergency plan and proper medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the student's health care providers to clarify medical needs, emergency medical protocol and medication orders.

9. A student identified as having a life-threatening food allergy or GSD is entitled to an IHCP and an ECP, regardless of his/her status as a student with a disability, as that term is understood under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), or the Individuals with Disabilities Education Act ("IDEA").

10. The District shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP, and that any procedures in the IHCP and/or ECP comply with the District's policies and procedures regarding the administration of medications to students.

11. Whenever appropriate, a student with a life-threatening food allergy and/or GSD should be referred to a Section 504 Team for consideration if/when there is reason to believe that the student has a physical or mental impairment that substantially limits one or more major life activities, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies and/or GSD should be referred to a PPT for consideration of eligibility for special education and related services under the IDEA, if there is reason to suspect that the student has a qualifying disability and requires specialized instruction.

12. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The District shall provide appropriate education and training for school personnel regarding the management of students with life threatening food allergies and GSD. Such training may include an overview of life-threatening food allergies and GSD; prevention strategies; IHCPs and ECPs; and food safety and sanitation. Training shall also include, as appropriate for each school (and depending on the specific needs of the individual students at the school), training in the administration of medication with cartridge injectors (i.e. epi-pens), and/or the specific preventative strategies to minimize the risk of exposure to life-threatening allergens and prevent adverse reactions in students with GSD (such as the provision of food or dietary supplements for students). School personnel will be also be educated on how to recognize symptoms of allergic reactions and/or symptoms of low blood sugar, as seen with GSD, and what to do in the event of an emergency. Staff training and education will be coordinated by the Nurse Supervisor**.** Any such training regarding the administration of medication shall be done accordance with state law and Board policy.

2. Each school within the District shall also provide age-appropriate information to students about food allergies and GSD, how to recognize symptoms of an allergic reaction and/or low blood sugar emergency and the importance of adhering to the school's policies regarding food and/or snacks.

IV. Prevention

Each school within the District will develop appropriate practices to minimize the risk of exposure to life threatening allergens and the risks associated with GSD. Practices that may be considered may include, but are not limited to:

(4) Encouraging handwashing;
(5) Discouraging students from swapping food at lunch or other snack/meal times;
(6) Encouraging the use of non-food items as incentives, rewards or in connection with celebrations;
(7) Training staff in recognizing symptoms of anaphylaxis and hypoglycemia; and
(8) Planning for school emergencies, to include consideration of the need to access medication, food and/or dietary supplements.

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication among parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition and/or GSD. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and/or alterations in blood sugar levels and how to respond in the event of such emergency.

2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.

3. The District shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their student's classroom or school.

4. All District staff are expected to follow District policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.

5. The District shall make the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease available on the

Board's website or the website of each school under the Board's jurisdiction.

6. The District shall provide annual notice to parents and guardians regarding the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such notice shall be provided in conjunction with the annual written statement provided to parents and guardians regarding pesticide applications in the schools.

VI. Monitoring the District's Plan and Procedures

The District should conduct periodic assessments of its Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such assessments should occur at least annually and after each emergency event involving the administration of medication to a student with a life-threatening food allergy or GSD to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

The Superintendent shall annually attest to the Department of Education that the District is implementing the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease.

Legal References:

State Law/Regulations/Guidance:

Public Act 18-185, An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools

Conn. Gen. Stat. § 10-212a	Administration of Medications in Schools
Conn. Gen. Stat. § 10-212c	Life-threatening food allergies: Guidelines; District plans
Conn. Gen. Stat. § 10-220i	Transportation of students carrying cartridge injectors
Conn. Gen. Stat. § 10-231c	Pesticide applications at schools without an integrated pest management plan.
Conn. Gen. Stat. § 19a-900	Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.

Conn. Gen. Stat. § 52-557b	"Good Samaritan law." Immunity from liability for emergency, medical assistance, first aid or medication by injector. School personnel not required to administer or render.
Regs. Conn. State Agencies §	10-212a-1 through 10-212a-7 Administration of Medication by School Personnel

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools (Includes Guidelines for Managing Glycogen Storage Disease), Connecticut State Department of Education (Updated 2012).

Federal Law:
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

ADOPTED: November 14, 2017 **(Replaces Policy and Regulation 5141.25)**
REVISED: January 8, 2019

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COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5141.3P

STUDENTS

HEALTH ASSESSMENTS, SCREENINGS, AND IMMUNIZATIONS

The Colchester Board of Education ("The Board") recognizes the importance of periodic health assessments, screenings, and immunizations for its students. The Board of Education adheres to those state laws that pertain to school health assessments and immunizations.

Health assessments and screenings assist in determining the health status of students, facilitating the removal of disabilities to learning, and finding out whether some special adaptation of the school program may be necessary. Health assessments and screenings shall be required of and provided to Colchester Public School students in accordance with C.G.S. 10-206 and C.G.S. 10-214, as amended from time to time, and in accordance with state health regulations.

A physical examination, in accordance with state statutes, shall be required for all new school entrants, and students in grade 6 and grade 10.

The Board shall require each student in the school district be protected by adequate immunization in accordance with state statute and applicable state regulations before being permitted to enroll in the Colchester Public Schools and for continued enrollment in the school district. Before being permitted to enter grade 7, a child shall receive a second immunization against measles.

A health assessment is required prior to a student's initial enrollment in school and for all new entrants as the term is defined in the accompanying regulations to this policy. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206.

Parents wishing their children exempted or excused from health assessments on religious grounds must request such exemption from the Superintendent of Schools in writing and submit the request upon their children's initial entry to school and prior to enrollment in seventh grade in accordance with state law. This request must be signed by the parent/guardian.

Prior to admittance to the Colchester Public Schools, each student shall be screened to determine the risk of exposure to tuberculosis and provide written results to the

Colchester Public Schools. Interpretation and management of tuberculin skin test results shall occur in accordance with recommendation from the Connecticut Department of Health.

In order to be enrolled in the Colchester Public Schools, a student must be immunized as set forth in state law and in accordance with Department of Health state health regulations, Colchester Board of Education Board policy, and its regulations unless exempt under state or federal law. A child may be exempt from the required immunizations if one of the following conditions is met:

1. The child presents a certificate from a physician, physician assistant, advanced practice registered nurse, or local health agency stating that initial immunizations have been given to such child and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Public Health.

2. The child presents a certificate from a physician, physician assistant or advanced practice registered nurse stating that in the opinion of such physician, physician assistant, or advanced practice registered nurse such immunization is medically contraindicated because of the physical condition of the child. Parents or guardians shall complete a written statement and attach a letter signed by the licensed physician, physician assistant or advanced practice registered nurse who is rendering the opinion.

3. The child presents a statement from the parents or guardian of such child that immunization would be contrary to the religious beliefs of such child or the parents or guardian of such child, which statement shall be acknowledged, in accordance with the provisions of 1-32, 1-34, and 1-35 of the general statutes by one of the following: (A) a judge of a court of record or a family support magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an attorney admitted to the bar of this state.

4. In the case of measles, mumps or rubella, the child presents a certificate from a physician, physician assistant, or advanced practice registered nurse or from the director of health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease.

5. In the case of hemophilus influenzae type B, the child has passed his or her fifth birthday.

6. In the case of pertussis, the child has passed his or her sixth birthday.

7. A lack of documentation or a failure to meet immunization requirements shall not act as a barrier to school enrollment and school attendance for a student identified as homeless as defined by federal law. Immediate efforts should be taken by the district's homeless student liaison to locate the student's immunization records or to assist the parent/guardian of the homeless student or unaccompanied youth in obtaining the necessary immunizations or records. The district shall promptly arrange for such homeless students to receive immunization through health agencies and at district expense, if no other recourse is available.

District forms will be made available to parents or guardians for the purpose of notification to the district of a claim of medical or religious exemption from required immunizations for their child(ren).

In the event of a vaccine-preventable disease outbreak in school, the district, in consultation with the Colchester Nurse Supervisor and the district's school medical adviser, may temporarily prohibit a susceptible student, including one who is otherwise exempt under law or Board policy, that lacks immunization against such disease from enrolling or continuing enrollment in a school determined to be a primary site for disease exposure in accordance with state law and state regulations and health department guidelines. Parents and guardians will be provided notice of the outbreak and a decision to exclude their child and the conditions for the student's return to school.

The Colchester Nurse Supervisor shall annually designate a representative to receive reports of health assessments as well as evidence of student immunizations provided from health care providers.

A cumulative health record will be maintained for every student. This record shall contain the results of assessments and screenings done pursuant to Sections 10-204a, 10-206 and 10-214 of the Connecticut State Statutes. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record. Student health records are covered by the Family Educational Rights and Privacy Act (FERPA) and are exempt from the Health Insurance Portability Act (HIPAA) privacy rule. Access to and maintenance of student health records shall be in accordance with state and federal law and Board Policy #5125, Student Records, Confidentiality.

If a student transfers to another school district in Connecticut, the student's original cumulative health record shall be sent to the school district to which such student moves. The sending school shall retain a copy. Should a student permanently leave the

state of Connecticut, a copy of the latest physical exam and immunization will be sent, upon request, and the original cumulative health record shall be maintained by the sending school.

In accordance with state law, the District will annually report to the Department of Public Health and to the local Health Director required asthma data including the total number of students per school and in district with a diagnosis of asthma as obtained through required asthma assessments. The District, as required by state law, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

Legal Reference: Connecticut General Statutes
10-204 Vaccination
10-204a Required immunizations. Temporary waiver. (as amended by P.A. 15-174 and 15-242)
10-204c Immunity from liability
10-205 Appointment of school medical advisers
10-206 Health assessments
10-206a Free health assessments
10-207 Duties of medical advisers
10-208 Exemption from examination or treatment
10-208a Physical activity of student restricted; board to honor notice
10-209 Records not to be public. Provision of reports to school.
10-210 Notice of disease to be given parent or guardian
10-212 School nurses 10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results
19a-7h Childhood Immunization Registry (as amended by Section 4 of PA 14-231) Department of Public Health, Public Health Code, 10-204a-2a, 10-204a3a, 10-204a-4 and 10-214-1 through 10-214-5
20 U.S.C. Section 1232h, No Child Left Behind Act
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g. P.L. 93-568; codified as 20 U.S.C. 1232g
42 U.S.C. 1320d-1320d-8 P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

POLICY APPROVED: June 14, 1993
REVISED: July 10, 2017
REVISED: June 4, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5141.3R
STUDENTS

ADMINISTRATIVE REGULATIONS REGARDING HEALTH ASSESSMENTS/SCREENINGS/IMMUNIZATIONS

I. Health Assessments

The Colchester Board of Education (the "Board') requires each student enrolled in the Colchester Public Schools (the "District") to undergo health assessments as mandated by state law. The purpose of such health assessments shall be to ascertain whether a student has any physical disability tending to prevent him/her from receiving the full benefit of school work and to ascertain whether school work should be modified in order to prevent injury to the student or to secure a suitable program of education for him/her. Such health assessments must be conducted by one of the following qualified providers for health assessments: (1) a legally qualified practitioner of medicine; (2) an advanced practice registered nurse or registered nurse, who is licensed under state statute; (3) a physician assistant, who is licensed under state statute; (4) the school medical advisor; or (5) a legally qualified practitioner of medicine, an advanced practice registered nurse or a physician assistant stationed at any military base. The Board of Education will provide written prior notice of the health assessments required under these administrative regulations to the parent or guardian of each student subject to assessment. The parent or guardian shall be provided a reasonable opportunity to be present during such assessment or he/she may provide for such assessment him/herself. No health assessment shall be made of any public school student unless it is made in the presence of the parent or guardian or in the presence of another school employee. Any student who fails to obtain the health assessments required by these administrative regulations may be denied continued attendance in the Colchester Public Schools District.

II. Health Assessments Required

Prior to enrollment in the Colchester Public Schools District, each student must undergo a health assessment, which shall include:

A. A physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma

diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;

B. An updating of immunizations as required by state law;

C. Vision, hearing, speech and gross dental screenings;

D. Such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The pre-enrollment assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia, and tests for lead levels in the blood if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or an advanced practice registered nurse, licensed under state law.

Each student enrolled in the Colchester Public Schools District must undergo a health assessment when entering grade 7 and when entering grade 10, which shall include:

A. A physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;

B. An updating of immunizations as required by state law;

C. Vision, hearing, postural and gross dental screenings;

D. Such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The grade six/seven and grade nine/ten assessments shall also include tests for tuberculosis and sickle cell anemia or Cooley's anemia if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such

tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or of an advanced practice registered nurse, licensed under state law.

The Board of Education shall provide such assessments free of charge to students whose parents or guardians meet the eligibility requirements for free and reduced price meals under the National School Lunch Program or for free milk under the special milk program.

III. Oral Health Assessments

A. Prior to enrollment in the District, in grade 7 and in grade 10, the Board shall request that each student undergo an oral health assessment. Such oral health assessments must be conducted by one of the following qualified providers for oral health assessments: (1) a dentist licensed under state law; (2) a dental hygienist licensed under state law; (3) a legally qualified practitioner of medicine trained in conducting oral health assessments as a part of a training program approved by the Commissioner of Public Health; (4) a physician assistant licensed under state law and trained in conducting oral health assessments as part of a training program approved by the Commissioner of Public Health; or (5) an advanced practice registered nurse licensed under state statute and trained in conducting oral health assessments as part of a training program approved by the Commissioner of Public Health.

B. The oral health assessment identified in subsection A above shall include a dental examination by a dentist, or a visual screening and risk assessment for oral health conditions by a dental hygienist, legally qualified practitioner of medicine, physician assistant, or advanced practice registered nurse. The assessment form shall include a check box for the qualified provider conducting the assessment to indicate any low, moderate or high risk factors associated with any dental or orthodontic appliance, saliva, gingival condition, visible plaque, tooth demineralization, carious lesions, restorations, pain, swelling or trauma.

C. No oral health assessment shall be made of any public school student unless the parent or guardian of the student consents to such assessment and such assessment is made in the presence of the parent or guardian or in the presence of another school employee. The parent or guardian shall be provided with prior written notice of an oral health assessment and be provided with a reasonable opportunity to opt his/her child out of such assessment or may provide for such oral health assessment him or herself.

D. If the Board of Education hosts a free oral health assessment event where qualified providers (identified in subsection A above) perform oral health assessments of children

attending a public school, the Board shall notify the parents and guardians of such children of the event in advance and provide an opportunity for parents and guardians to opt their child(ren) out of such event. The Board shall infer parent/guardian consent for each child whose parent or guardian did not opt him or her out of the free oral health assessment event and shall provide such child with a free oral health assessment; however, such child shall not receive dental treatment of any kind unless the child's parent or guardian provides informed consent for such treatment.

E. Any student who fails to obtain an oral health assessment requested by the Board shall not be denied enrollment or continued attendance in the District.

IV. Screenings Required

The Board of Education will provide annually to each student enrolled in kindergarten and grades one and three to five, inclusive, a vision screening using a Snellen chart or equivalent screening device, such as an automated vision screening device. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing the defect or disease and a recommendation that the student be examined by an optometrist or ophthalmologist licensed pursuant to state law, and (2) who did not receive such vision screening, with a brief statement explaining why such pupil did not receive such vision screening.

The Board of Education will provide annually to each student enrolled in kindergarten and grades one and three through five, inclusive, audiometric screening for hearing. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any impairment or defect of hearing, with a brief statement describing the impairment or defect, and (2) who did not receive an audiometric screening for hearing, with a brief statement explaining why such student did not receive an audiometric screening for hearing.

The Board of Education will provide postural screenings for (1) each female student in grades five and seven, and (2) each male student in grade eight or nine. The Superintendent shall give written notice to the parent or guardian of each student (A) who evidences any postural problem, with a brief statement describing such evidence, and (B) who did not receive a postural screening, with a brief statement explaining why such student did not receive such postural screening.

All of the screenings required under these administrative regulations will be performed in accordance with regulations applicable to such screenings as adopted by the State Board of Education.

V. Immunizations

In accordance with Connecticut General Statutes 10-206, as amended, 10-204a, and 10-214, the following health assessment procedures are established for students in the district:

A. Proof of immunization shall be required prior to school entry. A "school-aged child" also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school enterers and must include complete documentation of those immunizations requiring a full series. A required immunization record includes:

1. For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:
   - 4 doses of DTP/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4th birthday for children enrolled in school at kindergarten or above. Students who start the series at age 7 or older need a total of 3 doses.
     (Pertussis immunization shall not be required after a student's sixth birthday),
   - 3 doses of either trivalent oral polio vaccine (TOPV) or inactivated polio vaccine (IPV)with at least one dose of polio vaccine administered on or after the 4th birthday and before school entry. (This then usually results in 4 doses in total.)
   - 2 doses of MMR vaccine (measles, mumps and rubella). One dose at 1 year of age or after and a second dose, given at least twenty-eight (28) days after the first dose, prior to school entry in kindergarten through grade twelve (12) OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practical registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory.
   - 3 doses of Hepatitis B vaccine (HBV) or has had protection confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.
   - 1 dose of Hib (Hemophilus Influenza type b) given on or after the first birthday, is required of all school children who enter school prior to their fifth birthday or had a laboratory confirmed infection at age 24 months or older, confirmed in writing by a physician, physician assistant or advanced practice registered nurse. Children five and older do not need proof of Hib vaccination.
   - Varicella (Chickenpox) Immunity
     - 1 dose on or after the 1st birthday or must show proof of immunity to Varicella (chickenpox) for entry into licensed pre-school programs and kindergarten; or on or after August 1, 2011 for entry into kindergarten two (2) doses shall be

required, given at least three (3) months apart, the first does on or after the 1st birthday.

- Proof of immunity includes any of the following: Documentation of age appropriate immunizations considered to be one dose administered on or after the student's first birthday (if the student is less than 13 years old) or two doses administered at least 30 days apart for students whose initial vaccination is at thirteen years of age or older.

  Note: The National Advisory Committees on Immunization Practices (ACIP) changed the recommendation for routine vaccination against chicken pox (Varicella) from a single dose for all children beginning at 12 months of age to two doses, with the second dose given just prior to school entry. The ACIP also recommends that all school-aged children, up to 18 years of age, who have only had a single dose of Varicella vaccine to be vaccinated with a second dose.
  Serologic evidence of past infection, confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory, or
  Statement signed and dated by a physician, physician assistant or advanced practice registered nurse indicating a child has already had varicella (chickenpox) based on diagnosis of varicella or verification of history of varicella. (Date of chickenpox illness not required)

- All students are required to show proof of immunity (see above) to Varicella for entry into 7th grade.

  Note: The Connecticut Department of Public Health has indicated that a school-aged child, 13 years of age or older, will only be considered fully immunized if he/she has had two doses of the Varicella vaccine given at least 4 weeks apart.

- Hepatitis A - Requirement for PK and K for children born on or after January 1, 2007, is enrolled in preschool or kindergarten on or after August 1, 2011
  - Two (2) doses of hepatitis A vaccine given at least six (6) months apart, the first dose given on or after the child's first birthday; or
  - Has had protection against hepatitis A confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.

- Influenza Requirement for PK.
  - Effective January 1, 2012 and each January 1 thereafter, children aged 24-59 months enrolled in preschool are required to receive at least one (1) dose of influenza

vaccine between August 1 and December 31 of the preceding year (effective August 1, 2011).
    - Children aged 24-59 months who have not received vaccination against influenza previously must be given a second dose at least twenty-eight (28) days after the first dose.
- Pneumococcal Disease Requirement for PK and K
    - Effective August 1, 2011 all students born on or after January 1, 2007, enrolled in PK and K who are less than five (5) years of age must show proof of having received one (1) dose of pneumococcal conjugate vaccine on or after the student's first birthday.
    - An individual shall be considered adequately protected if currently aged five (5) years or older.

2. For entry into seventh (7th) grade

All students in grades K-12 are required to show proof of 2 doses of measles, mumps, rubella vaccine at least 28 days apart with the first dose administered on or after the first (1st) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant or advanced practice registered nurse.

- Proof of having received 2 doses of measles-containing vaccine.
  In those instances at entry to seventh grade, where an individual has not received a second dose of measles contained vaccine, a second dose shall be given. If an individual has received no measles containing vaccines, the second dose shall be given at least 4 weeks after the first. (Students entering 7th grade must show proof of having received 2 doses of measles-containing vaccine)
- Proof of Varicella (Chickenpox) Immunity.
    - On or after August 1, 2011, two doses, given at least three (3) months apart, the first dose on or after the individual's first (1st) birthday and before the individual's thirteenth (13th) birthday or two doses given at least twenty-eight (28) days apart if the first does was given on or after the individual's thirteenth (13th) birthday,
    - Serologic evidence of past infection, or
    - A statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating that the child has already had varicella (chickenpox) based on family and/or medical history. (Date of chickenpox illness not required)

- Proof of at least three doses of Hepatitis B vaccine or show proof of serologic evidence of infection with Hepatitis B.
- Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tday Vaccine Requirement for Grade 7 Students)

- On or after August 1, 2011, an individual eleven (11) years of age or older, enrolled in the seventh (7th) grade, shall show proof of one (1) dose of diphtheria, tetanus and pertussis containing vaccine. (Tdap booster) in addition to completion of the recommended primary diphtheria, tetanus and pertussis containing vaccination series unless:
- Such individual has a medical exemption for this dose confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on having last received diphtheria, tetanus and pertussis containing vaccine less than five (5) years earlier and no increased risk of pertussis according to the most recent standards of care for immunization in Connecticut (C.G.S. 19a-7f)

- Meningococcal Vaccine (MCV4) Required for Grade 7 Students
  - Effective August 1, 2011, one dose of meningococcal vaccine
  - *NOTE: Students must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection to enter eighth grade.*
  - Immunization requirements are satisfied if a student:
  - presents verification of the above mentioned required immunizations;
  - presents a certificate from a physician, physician assistant, advanced practice registered nurse or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process;
  - presents a certificate from a physician stating that in the opinion of the physician immunization is medically contraindicated in accordance with the current recommendation of the National Centers for Disease Control and Prevention Advisor Committee on Immunization Practices because of the physical condition of the child;
  - presents a written statement officially acknowledged by a notary public or a judge, family support magistrate, clerk/deputy clerk or a court having a seal, a town clerk, a justice of the peace, a Connecticut-licensed attorney or a school nurse or from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child or his/her parents/guardians;
  - he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.

Health assessment and health screening requirements are waived if the parent legal guardian of the student or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian or student objects on religious grounds. (CGS 10-204a)

Students failing to meet the above requirements shall not be allowed to attend school.

A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma and which

must include public health related screening questions for parents to answer and other screening questions for providers and screenings for hearing, vision, speech, and gross dental shall be required for all new school enterers, and students in grade 6 and grade 9 or 10. This health assessment must be completed either prior to school entry or 30 calendar days after the beginning of school for new school enterers. This assessment must be conducted within the school year for students in grade 6 or grade 9 or 10. Parents of students in grade 6 or grade 9 or 10 shall be notified, in writing, of the requirement of a health assessment and shall be offered an opportunity to be present at the time of assessment.

The assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia and test for lead levels in the blood when the Board of Education, after consultation with the school medical advisor and the local health department, determine such tests are necessary. A test for tuberculosis, as indicated above, is not mandatory, but should be performed if any of the following risk factors prevail:

1. Birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central and South America, Dominican Republic and Haiti, see list of countries in Appendix B) and do not have a record of a TST (tuberculin skin test) or IGRA (interferon-gamma release assay) performed in the United States.
2. Travel to a high risk country staying at least one week with substantial contact with the indigenous population since the previously required examination;
3. Extensive contact with persons who have recently come to the United States from high risk countries since the previously required examination;
4. Contact with persons suspected to have tuberculosis; or
5. Lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has HIV infection.

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1).

VI. Assessment/Screening Results

The results of each assessment and screening required or requested by these administrative regulations shall be recorded on forms supplied by the State Board of Education. Each physician, advanced practice registered nurse, registered nurse, or physician assistant performingqualified provider performing health assessments or oral health assessments under these administrative regulations shall sign each form and any recommendations concerning a student shall be in writing. Assessment/screening forms shall be included in the cumulative health record of each student and they shall be kept on file in the school attended by the

student. If a student transfers to another school district in Connecticut, his/her original cumulative health record shall be sent to the chief administrative officer of the new school district and a true copy retained by the Colchester Board of Education. For a student leaving Connecticut, a copy of the records, if requested, should be sent and the original maintained.

Appropriate school health personnel shall review the results of each assessment and screening. If the reviewing school health personnel judge that a student is in need of further testing or treatment, the Superintendent shall give written notice to the parent or guardian of such student and shall make reasonable efforts to ensure that such further testing or treatment is provided. Reasonable efforts shall include determination of whether the parent or guardian has obtained the necessary testing or treatment for the student, and, if not, advising the parent or guardian how such testing or treatment may be obtained. The results of such further testing or treatment shall be recorded, kept on file and reviewed by appropriate school health personnel in the same manner as the results of the health assessments and screenings required or requested under these administrative regulations.

The district shall report to the local health department and the Department of Public Health, on a triennial basis, the total number of children per school and on a district-wide basis having a diagnosis of asthma (1) at the time of public school enrollment, (2) in grade six or seven, and (3) in grade ten or eleven. The report shall contain the asthma information collected as required under Section II of this Policy and shall include information regarding each diagnosed child's age, gender, race, ethnicity and school.

VII. Exemption

Nothing in these administrative regulations shall be construed to require any student to undergo a physical or medical examination or treatment, or be compelled to receive medical instruction, if the parent or legal guardian of such student or the student, if he/she is an emancipated minor or is eighteen (18) years of age or older, notifies the teacher or principal or other person in charge of such student in writing that he/she objects on religious grounds to such physical or medical examination or treatment or medical instruction.

VIII. <u>Other Non-Emergency Invasive Physical Examinations and Screenings</u>:

(a) In addition to the screenings listed above, the district may, from time to time, require students to undergo additional non-emergency, invasive physical examination(s)/screening(s).

(b) A non-emergency, invasive physical examination or screening is defined as:

1. any medical examination that involves the exposure of private body parts; or

2. any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening; and

3. is required as a condition of attendance, administered by the school and scheduled by the school in advance; and

4. is not necessary to protect the immediate health and safety of the student, or of other students.

(c) If the district elects to conduct any such examinations, then, at the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to conduct the non-emergency invasive physical examination(s) and/or screening(s) described in this subsection. Such notice shall include the specific or approximate dates during the school year of the administration of such non-emergency invasive physical examination(s)/screening(s).

(d) Upon request, the administration shall permit parents or students over the age of eighteen (18) (or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

IX. School Representative to Receive Information Concerning Health Assessments:

The Board of Education designates the Nurse Supervisor as the representative for receipt of reports from health care providers concerning student health assessments and oral health assessments.

Legal References:

Connecticut General Statutes

§ 10-206	Health assessments
§ 10-206a	Free health assessments
§ 10-208	Exemption from examination or treatment
§ 10-214	Vision, audiometric and postural screenings: When required; notification of parents re defects; record of results

Public Act 17-146,18-168, "An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes," Section 5, effective October 1, 2017 Sections 8, 80 and 81.

Public Act 17-173, "An Act Concerning Minor Revisions and Additions to the Education Statutes," Section 5, effective July 1, 2017

State of Connecticut Department of Education, Bureau of Health/Nutrition, Family Services and Adult Education, Cumulative Health Records Guidelines (Revised Jan. 2012), http://www.sde.ct.gov/sde/lib/sde/PDF/deps/student/health/CHRguidelines.pdfhttps://portal.ct.gov/-/media/SDE/School-Nursing/Publications/CHR_guidelines.pdf

Federal Law:
Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, Public Law 114-95, at 20 U.S.C. § 1232h(c)(2)(C)(iii).

Legal References for Immunizations:
Legal Reference: Connecticut General Statutes
10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242)
10-204c Immunity from liability
10-205 Appointment of school medical adviser
10-206 Health assessments (as amended by June Special Session PA 01-4, PA 01-9, PA 05-272, PA 07-58 and PA 18-168)
10-206a Free health assessments
10-207 Duties of medical advisors
10-208 Exemption from examination or treatment
10-208a Physical activity of student restricted; board to honor notice
10-209 Records not to be public. Provision of reports to school.
10-212 School nurses
10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, as amended by P.A. 17-173.
PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

ADOPTED: December 8, 2015 **(Replaces Policy 5141.3 Health Assessments and Immunizations)**
REVISED: June 4, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5141.4P

STUDENTS

REPORTING OF CHILD ABUSE, NEGLECT, AND SEXUAL ASSAULT

The Colchester Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse and neglect. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers and licensed behavior analysts either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse and/or neglect or risk and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but are not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.)

The oral and written reports shall include, if known:

(1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care;

(2) the child's age;

(3) the child's gender;

(4) the nature and extent of the child's injury or injuries, maltreatment or neglect;

(5) the approximate date and time the injury or injuries, maltreatment or neglect occurred;

(6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;

(7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;

(8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect;

(9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;

(10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and

(11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

(For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated reporter's written or oral report of abuse or neglect or if the Commissioner of Children and Families has reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee and the Superintendent and the Commissioner of Education of the investigation's results. If DCF has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Boards of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. 4112.6/4212.6 - Personnel Records)

(cf. 5141.511 - Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106, PA 11-93 and PA 15-205, PA 18-15 and PA 18-17)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

P.A. 15-205 An Act Protecting School Children.

POLICY ADOPTED: February 13, 2019 (**Replaced 4120P: "Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students By School Employees")**

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5141.4R

STUDENTS

REPORTING OF CHILD ABUSE, NEGLECT, AND SEXUAL ASSAULT

A. What Must be Reported

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen: *(Mandated reporters include all school employees, specifically the Superintendent, administrators teachers, substitute teachers, guidance counselors, school counselors, behavior analysts, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools.)*

1. Is in danger of being or has been abused;

2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare or care, or by a person given access to such child by a responsible person;

3. Has been neglected;

4. Has been sexually assaulted; or

5. Has been placed in imminent risk of serious harm.

A mandated reporter's suspicions may be based on such factors as observations, allegations, and facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Definitions

For operational definitions of child abuse and neglect, see APPENDIX A.

For indicators of child abuse and neglect, see APPENDIX B.

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

"School employee" (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in an elementary, middle or high school; or (b) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Colchester Public Schools, pursuant to a contract with the Board.

"Sexual assault" means for the purposes of mandatory reporting laws and this policy; a violation of Sections 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes.

"Statutory mandated reporter" means an individual by CGS Sec. 17a-101 to report suspected abuse and/or neglect of children or sexual assault by a school employee. The term, "statutory mandated reporter" includes all school employees, as defined above.

B. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, has been placed in imminent risk of serious harm, the following steps shall be taken:

(a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, or has had non-accidental physical injury or injury which is at variance with the history or such injury, or sexually assaulted by a school employee and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law

enforcement agency. The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.

(b) The employee shall also immediately make an oral report to the Building Principal or his/her designee and/or the Superintendent or his/her designee. If the building principal is the alleged perpetrator of the abuse/neglect, then the employee shall notify the Superintendent or his/her designee directly.

(c) If a report prepared in accordance with Section (a) above concerns suspected abuse or neglect or sexual assault by a school employee, the Superintendent or his/her designee, shall immediately notify the child's parent or guardian that such a report has been made.

(d) Not later than 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative, containing all of the required information. The written reports should be submitted on the DCF-136 form or any other form designated for that purpose.

(e) The employee shall immediately, submit a copy of the written report to the Principal and/or Superintendent or the Superintendent's designee.

(f) If a report prepared in accordance with Section (c) above, concerns suspected abuse or neglect or sexual assault by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

C. Contents of Reports

Any report made pursuant to this policy shall contain the following information, if known:

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;

2. The age of the child;

3. The gender of the child;

4. The nature and the extent of the child's injury or injuries, maltreatment or neglect;

5. The approximate date and time the injury or injuries, maltreatment or neglect occurred;

6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;

7. The circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;

8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;

9. The reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;

10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and

11. Whatever action, if any, was taken to treat, provide shelter or otherwise assist, the child.

For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonable interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual in under eighteen years of age or educated in the technical high school system or in a district school, other than part of an adult education program.

D. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent or his/her designee shall thoroughly investigate the report, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. When investigating a report, the Superintendent or his/her designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators or the alleged abusers.

The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an

investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay pending the outcome of the investigation.

A person reporting child abuse or neglect or sexual assault shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child abuse or neglect, or sexual assault except as expressly prohibited by state or federal law.

1. Evidence of Abuse by Certain School Employees. After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been abused, neglected or sexually assaulted by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families abuse and neglect registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse, neglect or sexual assault by a school employee, the Superintendent, the school employee, and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits if DCF has reasonable cause that the employee abused or neglected a child and recommends the employee be placed on the DCF child abuse and neglect registry. Not later than 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension.

   The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education Acts, pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such certified person resigns from his/her employment in the District. Regardless of the outcome of any investigation by DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment in accordance with the provisions of any applicable

statute, if the Superintendent's investigation produces evidence that a child has been abused by a certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit or authorization issued by the State Board of Education is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his/her representative, within 72 hours of such termination.

2. Evidence of Abuse by Other School Staff. If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence that a child has been abused by a non-certified school staff member the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment.

3. The District shall maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. The State Department of Education is to have access to all such records.

4. The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in District files. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of such board of education, and records of the personal misconduct of such teacher. ("Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.)

5. The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency that a child has been abused or neglected. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of section 17a-101i of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.

6. The Department of Children and Families will review, at least annually, with the State Department of Education all records and information relating to reports and investigations that a child has been abused and neglected by a school employee, in the Department of Children and Families' possession to ensure that records and information are being shared properly.

E. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

F. Special Reporting Procedures Concerning Suspected Abuse or Neglect of Intellectually Disabled Persons

In addition to the reporting procedures set forth above, Connecticut General Statutes require that certain school personnel, including teachers, licensed nurses, psychologists and social workers, report any suspected abuse or neglect of intellectually disabled persons over the age of 18. It is policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in connection with the suspected abuse or neglect, as defined below, of any mentally retarded person over the age of 18.

1. **Definitions.** For the purposes of this policy:

"Abuse" means the willful infliction of physical pain or injury or willful deprivation by a caretaker of services which are necessary to the person's health or safety.

"Neglect" means a situation where an intellectually disabled person either is living alone or is not able to provide for him/herself the services which are necessary to maintain his/her physical and mental health, or is not receiving such necessary services from the caretaker.

2. **Reporting Procedures**. If an employee has reasonable cause to suspect that an intellectually disabled person has been abused or neglected, he/she shall, within five calendar days, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities, to be followed by a written report within five additional calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the Office of Protection and Advocacy. In the event that an employee makes a report to the Office of Protection and Advocacy, the employee shall immediately notify the Superintendent.

3. **Contents of Report.** Any such report shall contain the following information:

(a) The name and address of the allegedly abused or neglected person;

(b) A statement from the reporter indicating a belief that the person is intellectually disabled, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;

(c) Information concerning the nature and extent of the abuse or neglect; and

(d) Any additional information, which the reporter believes, would be helpful in investigating the report or in protecting the intellectually disabled person.

4. **Investigation of Report.** If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse set forth in paragraph e above.

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that an intellectually disabled person has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary Action, up to and including termination of employment.

G. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

H. Non-Discrimination Policy

The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy or testifies or is about to testify in any proceeding involving abuse or neglect.

I. Training

All District employees are required to complete a training program pertaining to the accurate and prompt reporting of abuse and neglect, made available by the Commissioner of Children and Families. In addition, all employees must complete a refresher program at least once every three years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

The School Principal shall annually certify to the Superintendent that each school employee working at his/her school has completed the required initial training and the refresher training.

J. Foster Care

Upon request of the Board of Education, the Department of Children and Families shall provide the name, date of birth and school of origin for each child in the custody of the Department of Children and Families who has been placed in foster care and is attending a District school.

Confidential Rapid Response Team

The District will establish, not later than January 1, 2016, a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee; and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team consists of a local teacher, the Superintendent, a local police officer, and any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect; or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Board of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so; or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

Posting of DCY's "Careline"

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

(cf. 4112.5/4212.6 - Personnel Records)

(cf. 5141.511 - Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101i Abuse of child by school employee or staff member of public or private institution or facility providing care for children. Suspension. Notification of state's attorney re: conviction. Boards of education to adopt written policy re: reporting of child abuse by school employee.

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

PA 15-112 An Act Concerning Unsubstantiated Allegations of Abuse and Neglect by School Employees

PA 15-205 An Act Protecting School Children

REGULATION ADOPTED: February 13, 2019 (**Replaced 4120P: "Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students By School Employees")**

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

APPENDIX A - OPERATIONAL DEFININITIONS OF CHILD ABUSE AND NEGLECT

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut Department of Children and Families.

For the purposes of these operational definitions:

- child refers to any person under eighteen (18) years of age, or under twenty-one (21) years of age and in DCF care
- a person responsible for a child's health, welfare or care.

Note: Only a "child" as defined above may be classified as a victim of child abuse and/or neglect; only a "person responsible", "person given access", or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.

Legal References: Connecticut General Statutes §17a-93; §17a-103a; §17a-101, et. seq., as amended by P.A. 11-93; §46b-120.

Physical Abuse

A child may be found to have been physically abused who:

- has been inflicted with physical injury or injuries other than by accidental means,
- is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or
- has injuries at variance with the history given of them.

Evidence of physical abuse includes:

- bruises, scratches, lacerations
- burns, and/or scalds
- reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.
- injuries to bone, muscle, cartilage, ligaments, fractures, dislocations, sprains, strains, displacements, hematomas, etc.
- head injuries
- internal injuries

- death
- misuse of medical treatments or therapies
- malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion
- deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child
- cruel punishment.

Sexual Abuse/Exploitation Sexual Abuse/Exploitation

Sexual Abuse/Exploitation is any incident involving a child's non-accidental exposure to sexual behavior.

Evidence of sexual abuse includes, but is not limited to the following:

- rape
- penetration: digital, penile, or foreign objects
- oral / genital contact
- indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
- incest
- fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
- sexual exploitation, including possession, manufacture, or distribution of child pornography. online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website
- coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior
- disease or condition that arises from sexual transmission
- other verbal, written or physical behavior not overtly sexual but likely designed to "groom" a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2215 Sexual Exploitation of Children.

Emotional Maltreatment-Abuse is:

- act(s), statement(s), or threat(s), which
- has had, or is likely to have an adverse impact on the child; and/or
- interferes with a child's positive emotional development.

Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:

- rejecting;
- degrading;
- isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or
- exposing the child to brutal or intimidating acts or statements.

Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:

- depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression; and/or
- trust issues.

Physical Neglect

A child may be found neglected who:

- has been abandoned;
- is being denied proper care and attention physically, educationally, emotionally, or morally;
- is being permitted to live under conditions, circumstances or associations injurious to his well-being; and/or
- has been abused.

Evidence of physical neglect includes, but is not limited to:

- inadequate food;
- malnutrition;
- inadequate clothing;
- inadequate housing or shelter;
- erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;
- permitting the child to live under conditions, circumstances or associations injurious to his well-being including, but not limited to, the following:

Note: Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.

Medical Neglect

Medical Neglect is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

Evidence of medical neglect includes, but is not limited to:

- frequently missed appointments, therapies or other necessary medical and/or mental health treatments;
- withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; and/or
- withholding medically indicated treatment from disabled infants with life threatening conditions.

Note: Failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.

Educational Neglect

Except as noted below, Educational Neglect occurs when, by action or inaction, the parent or person having control of a child five (5) years of age and older and under eighteen (18) years of age who is not a high school graduate:

- fails to register the child in school
- fails to allow the child to attend school or receive home instruction in accordance with CONN. GEN. STAT. §10-184
- failure to take appropriate steps to ensure regular attendance at school if the child is registered.

Exceptions (in accordance with CONN. GEN. STAT. §10-184):

- A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.

Note: Failure to sign a registration option form for such a child is not in and of itself educational neglect.

- A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

Emotional Neglect

Emotional Neglect is the denial of proper care and attention, or failure to respond, to a child's affective needs by the person responsible for the child's health, welfare or care; by the person given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

Evidence of emotional neglect includes, but is not limited to, the following:

- inappropriate expectations of the child given the child's developmental level;
- failure to provide the child with appropriate support, attention and affection;
- permitting the child to live under conditions, circumstances or associations; injurious to his well-being including, but not limited to, the following;

Indicators may include, but are not limited to, the following:

- depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression;
- trust issues.

Moral Neglect

Moral Neglect: Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

Evidence of Moral Neglect includes but is not limited to:

- stealing;
- using drugs and/or alcohol;
- and involving a child in the commission of a crime, directly or by caregiver indifference.

APPENDIX B - INDICATORS OF CHILD ABUSE AND NEGLECT

Indicators of Physical Abuse

HISTORICAL

Delay in seeking appropriate care after injury:

- No witnesses
- Inconsistent or changing descriptions of accident by child and/or parent
- Child's developmental level inconsistent with history
- History of prior "accidents"
- Absence of parental concern
- Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent
- Unexplained school absenteeism
- History of precipitating crisis

PHYSICAL

- Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso;
- Clusters of skin lesions; regular patterns consistent with an implement;
- Shape of lesions inconsistent with accidental bruise;
- Bruises/welts in various stages of healing;
- Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges;
- Fractures/dislocations inconsistent with history;
- Laceration of mouth, lips, gums or eyes;
- Bald patches on scalp;
- Abdominal swelling or vomiting;
- Adult-size human bite mark(s);
- Fading cutaneous lesions noted after weekends or absences;
- Rope marks.

BEHAVIORAL

- Wary of physical contact with adults;
- Affection inappropriate for age, extremes in behavior, aggressiveness / withdrawal;
- Expresses fear of parents;
- Reports injury by parent;
- Reluctance to go home;
- Feels responsible (punishment "deserved");
- Poor self-esteem;
- Clothing covers arms and legs even in hot weather.

Indicators of Sexual Abuse

HISTORICAL

- Vague somatic complaint;
- Excessive school absences;
- Inadequate supervision at home;
- History of urinary tract infection or vaginitis;
- Complaint of pain; genital, anal or lower back/abdominal;
- Complaint of genital itching;
- Any disclosure of sexual activity, even if contradictory.

PHYSICAL

- Discomfort in walking, sitting;
- Evidence of trauma or lesions in and around mouth;
- Vaginal discharge/vaginitis;
- Vaginal or rectal bleeding;
- Bruises, swelling or lacerations around genitalia, inner thighs;
- Dysuria;
- Vulvitis;
- Any other signs or symptoms of sexually transmitted disease;
- Pregnancy.

BEHAVIORAL

- Low self-esteem;
- Change in eating pattern;
- Unusual new fears;
- Regressive behaviors;
- Personality changes (hostile/aggressive or extreme compliance);
- Depression;
- Decline in school achievement;
- Social withdrawal; poor peer relationship;
- Indicates sophisticated or unusual sexual knowledge for age;
- Seductive behavior, promiscuity or prostitution;
- Substance abuse;
- Suicide ideation or attempt;
- Runaway.

Indicators of Emotional Abuse

HISTORICAL

- Parent ignores/isolates/belittles/rejects/scapegoats child
- Parent's expectations inappropriate to child's development
- Prior episode(s) of physical abuse
- Parent perceives child as "different"

PHYSICAL

- (Frequently none);
- Failure to thrive;
- Speech disorder;
- Lag in physical development;
- Signs/symptoms of physical abuse.

BEHAVIORAL

- Poor self-esteem
- Regressive behavior (sucking, rocking, enuresis)
- Sleep disorders
- Adult behaviors (parenting sibling)
- Antisocial behavior

- Emotional or cognitive developmental delay
- Extremes in behavior - overly aggressive/compliant
- Depression
- Suicide ideation/attempt

Indicators of Physical Neglect:

HISTORICAL

- High rate of school absenteeism
- Frequent visits to school nurse with nonspecific complaints
- Inadequate supervision, especially for long periods and for dangerous activities
- Child frequently unattended; locked out of house
- Parental inattention to recommended medical care
- No food intake for 24 hours
- Home substandard (no windows, doors, heat), dirty, infested, obvious hazards
- Family member addicted to drugs/alcohol

PHYSICAL

- Hunger, dehydration
- Poor personal hygiene, unkempt, dirty
- Dental cavities/poor oral hygiene
- Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day
- Constant fatigue or listlessness
- Unattended physical or health care needs
- Infestations
- Multiple skin lesions/sores from infection

BEHAVIORAL

- Comes to school early, leaves late
- Frequent sleeping in class
- Begging for/stealing food
- Adult behavior/maturity (parenting siblings)
- Delinquent behaviors

Colchester Public Schools
"We create innovative thinkers for a dynamic world"

Jeffrey E. Burt
Superintendent of Schools

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CHILD ABUSE/NEGLECT PROTOCOL – STAFF

NOTE: This checklist should be used as a guide and to spur deliberation. Order and/or content may need to be modified depending on the situation.	Check if completed	Date completed
1. Suspect child abuse and/or neglect? If so, **do NOT investigate. Make DCF referral call CARELINE (800) 842-2288 within 12 hours.**		
2. If you suspect physical harm, contact **NURSE** to assess.		
3. Contact Building Administrator, who will determine involvement of other staff.		
4. Contact SRO if police involvement is necessary.		
5. Complete DCF-136 form and fax to the responsible DCF office. **File within 48 hours of initial report**. Copy to Pupil Services and Central Office.		
6. After filing **form 136**, if not notified in a reasonable amount of time, check to see if DCF accepted the report by calling the CARELINE. Notify Principal of report status.		

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Superintendent of Schools

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CHILD ABUSE/NEGLECT PROTOCOL – ADMINISTRATORS

NOTE: This checklist should be used as a guide and to spur deliberation. Order and/or content may need to be modified depending on the situation.	Check if completed	Date completed
1. Suspect child abuse and/or neglect? If so, **do NOT investigate. Make DCF referral call CARELINE (800) 842-2288 within 12 hours.**		
2. If you suspect physical harm, contact **NURSE** to assess.		
3. Contact parents/caregivers, when appropriate.		
4. Review need for student safety plan (separate child from adult)		
5. If the alleged perpetrator is a **school employee**, notify the following personnel immediately: 5a. Building Administrator		
5.b Human Resources: Jan Shorts, 860-537-7264		
5.c SRO if police involvement is necessary		
6. Complete DCF-136 form and fax to the responsible DCF office. **File within 48 hours of initial report**. Copy Pupil Services and Central Office.		
7. **Paid Administrative Leave**. The decision of whether to place an employee on paid administrative leave will be determined by the Superintendent. If the allegation relates to physical or sexual abuse or any other behavior that is seriously disruptive to the educational/work environment or otherwise compromises student or staff safety, the employee should immediately be placed on paid administrative leave without prejudice pending the outcome of the investigation into his/her behavior.		
8. After filing **form 136**, if not notified in a reasonable amount of time, check to see if DCF accepted the report by calling the CARELINE. Notify Principal of report status.		
9. Conduct investigation when the **alleged perpetrator is a school employee**.		
9a. If DCF accepts the report, coordinate with DCF to investigate the employee's conduct;		
9b. If DCF does not accept the report, conduct own investigation and take disciplinary action, if necessary.		

NOTE: This checklist should be used as a guide and to spur deliberation. Order and/or content may need to be modified depending on the situation.	Check if completed	Date completed
10. **Determine if incident requires further investigation:**		
10a. Were the employee's actions a failure to meet district standards for professional conduct?		
10b. Is there a need for further action by district personnel, e.g.:		
• Did the incident include a report of **suicidal ideation?**		
• Did the incident involve the **harassment** of an employee and/or student?		
• Are there **TITLE IX implications?** (i.e., sexual harassment)		
• Were there any **restraints and/or seclusions during the incident?**		
• Did the incident involve any issues of student **bullying?**		
• Did the incident involve **criminal elements**?		

Series 5000
Students

SUICIDE PREVENTION AND INTERVENTION POLICY

The Colchester Board of Education recognizes that suicide is a complex issue and that schools are not mental health treatment centers. School personnel may recognize a potentially suicidal youth and, in such cases, may make a preliminary determination of level of risk. The Board directs the school staff to refer students who come to their attention as being at risk of attempting suicide for professional assessment and treatment services outside of the school.

The Board recognizes the need for youth suicide prevention procedures and will establish programs to assist staff to identify risk factors, intervention procedures, and procedures for referral to outside services. Training will be provided for teachers and other school staff and students to provide awareness and assistance in this area.

Any Board employee who has knowledge of a suicidal threat, attempt or ideation must immediately report this information to the building administrator or his/her designee, who will, in turn, notify the Crisis Intervention Team, with administrative assistance, if necessary, will contact the student's family and appropriate resources outside and within the school system. Information concerning a student's suicide attempt, threat or risk will be shared with others to the degree necessary to protect that student and others.

Legal Reference:
Connecticut General Statutes §10-221(e)

ADOPTED: June 11, 2002
REVISED: May 8, 2018 **(Replaces 5141.5)**

238945v4

SUICIDE PREVENTION AND INTERVENTION ADMINISTRATIVE REGULATIONS

Management of Suicidal Risk

The school cannot be expected to thoroughly evaluate and eliminate suicidal risk. Nevertheless, the Board is committed to respond in a supportive manner, both aggressively and immediately, to a student who has attempted, has threatened, or is seriously considering attempting suicide. The following procedures shall be implemented toward this end.

I. Any staff member who becomes aware of a student who may be at risk of suicide must immediately notify the building administrator or his/her designee. This must be done even if the student has confided in the staff person and asked that his/her communication be kept confidential. The building administrator or designee will then notify the Crisis Intervention Team (Note: The building administrator may have multiple designees.)

II. The building administrator or his/her designee shall interview the student, consider available background information and determine whether the student is "at-risk" or in "imminent danger."

III. If the student is assessed to be "at-risk":

A. The building administrator or his/her designee shall notify the student's parent/guardian and request a meeting with them as soon as possible, preferably that same day. The building administrator or his/her designee may also determine the need for an immediate suicide risk evaluation and contact a medical or mental health facility and/or provider for that purpose.

B. When the parent/guardian arrives at school, the building administrator or his/her designee shall meet with him/her to discuss:

1. the seriousness of the situation;

2. the need for an immediate suicide risk evaluation at a medical or mental health facility, or other appropriate evaluation(s);

3. the need for continued monitoring of the student at home if he/she is released following the evaluation;

4. referral to appropriate professional services outside the school system; and

5. a request for the parent/guardian to sign a release of information form permitting communication between the school and the facility to which the student will be taken, the student's therapist and other appropriate individuals.

6. In the event that the building administrator has determined the need for an immediate suicide risk evaluation and contacted a medical or mental health facility and/or provider for that purpose, the building administrator shall inform the parent that a medical or mental health facility and/or provider has been notified, provide the parent with contact information for that facility/provider, and provide the parent with any written information provided to the school by the medical or mental health facility and/or provider.

C. The building administrator or his/her designee shall document in writing the course of events, including what transpired at the meeting, and the outcome.

D. If the parent/guardian does not follow through, thereby leaving the student "at-risk", a medical referral to the Department of Children and Families (DCF) should be made (if the student is less than 18 years of age). The parent/guardian should be notified as soon as possible that such a referral has been made.

E. The building administrator or his/her designee may notify other staff, as necessary to protect the student and others.

F. The building administrator or his/her designee may refer the student to the school's Child Study Team, Mental Health Team, Crisis Intervention Team, Student Assistance Team, Planning Placement Team or other staff as appropriate for further consultation and planning.

G. The building administrator or his/her designee or the team shall monitor the student's progress and shall consult as necessary with family, outside professionals and school staff.

IV. If the student is assessed to be "in imminent danger":

A. The building administrator or his/her designee shall ensure that the student is not left alone.

B. The building administrator or his/her designee shall notify the parent/guardian and request that the student be picked up at school and taken to a medical or mental health professional for thorough suicidal risk evaluation. The building administrator or his/her designee may also determine the need for an immediate suicide risk evaluation and contact a medical or mental health facility and/or provider for that purpose.

C. When the parent/guardian arrives at school, the building administrator or his/her designee shall meet with him/her to discuss:

1. the seriousness of the situation;

2. the need for an immediate suicide risk evaluation at a medical or mental health facility, or other appropriate evaluation(s);

3. the need for continued monitoring of the student at home if he/she is released following the evaluation;

4. referral to appropriate professional services outside the school system; and

5. a request for the parent/guardian to sign a release of information form permitting communication between the school and the facility to which the student will be taken, the student's therapist and other appropriate individuals.

6. In the event that the building administrator has determined the need for an immediate suicide risk evaluation and contacted a medical or mental health facility and/or provider for that purpose, the building administrator shall inform the parent that a medical or mental health facility and/or provider has been notified, provide the parent with contact information for that facility/provider, and provide the parent with any written information provided to the school by the medical or mental health facility and/or provider.

D. The building administrator or his/her designee shall document in writing the course of events, including what transpired at the meeting, and the outcome.

E. If an assistant principal or the building administrator's designee has responded to the student at risk of suicide, he/she shall inform the building principal of the course of events and the outcome.

F. The building administrator or his/her designee may notify other staff, as necessary to protect the student and others.

G. The building administrator or his/her designee may refer the student to the school's Child Study Team, Mental Health Team, Crisis Intervention Team, Student Assistance Team, Planning and Placement Team or other staff as appropriate for further consultation and planning.

H. If the parent/guardian is unable to come to school:

1. The building administrator or his/her designee shall provide, over the telephone, information as to available resources outside and within the school system, and shall plan follow-up contacts.

2. The building administrator or his/her designee will notify the parent/guardian of his/her intent to and arrange transport of the student to an appropriate evaluation/treatment site by means of emergency vehicle (e.g., ambulance or police cruiser).

3. Police may be notified if the student poses a threat to the safety of him/herself or others, or as dictated by other circumstances.

4. The building administrator or his/her designee shall document in writing the course of events and the outcome.

5. If an assistant principal or the building administrator's designee has responded to the student at risk of suicide, he/she shall inform the building principal of the course of events and the outcome.

I. If the parent/guardian does not agree with the school's determination that the student is in imminent danger or for any other reason refuses to take action:

1. The building administrator or his/her designee shall develop an immediate plan focused on the protection of the student. <u>If an assistant principal or building administrator's designee has responded to the student at risk of suicide, he/she shall attempt to notify the building principal to assist in the development of the plan.</u>

2. The building administrator or his/her designee shall notify the parent/guardian of the plan and shall either a) inform the parent/guardian that the Department of Children and Families (DCF) will be contacted and a medical neglect referral made, if the parent/guardian remains uncooperative and the student is less than 18 years of age; or b) inform the parent or guardian and student that the police will be called if the parent or guardian or student remains uncooperative.

3. The building administrator or his/her designee shall arrange for an emergency vehicle to transport the student to the hospital or an appropriate mental health facility; shall inform hospital staff of the situation; shall plan follow-up in relation to hospital staff or mental health facility staff decisions as to how to proceed.

4. The building administrator or his/her designee shall consult and cooperate with DCF and/or the police as necessary.

5. The building administrator or his/her designee shall document in writing the course of events and the outcome.

J. When a student assessed to have been "in imminent danger" returns to the school, the PPS staff member or the appropriate school-based team (if such referral has been made) shall coordinate consultation with outside professionals, supportive services in school, and changes in the instructional program, when necessary.

Suicide Education/Prevention - Students and Staff

I. As part of the Colchester Schools' Health Education Curriculum and Developmental Guidance Curriculum, students will be educated regarding suicide risk factors and danger signals, and how they might appropriately respond if confronted with suicidal behavior, verbalizations, or thoughts.

II. Annually, in-service training for school staff will be held in each school building to discuss suicide risk factors, danger signals, and the procedures outlined in these regulations.

ADOPTED: May 8, 2018

238945v4

5142P

STUDENTS

STUDENT SAFETY

The Board of Education (Board) shall strive to build safe, supportive, and academically challenging school learning environments in partnership with students, staff members and families. The Board shall develop and adopt a mission statement that promotes a safe and secure environment for learning. Such mission statement shall emphasize respect, caring, and high academic achievement.

The Board shall ensure that all facilities, grounds, equipment, and vehicles meet acceptable injury and violence prevention standards for design, installation, use and maintenance.

Student safety shall be a priority of all school district personnel through close supervision of students in all school buildings and grounds and through special attention to:

1. Maintenance of safe school environments through conducting regular safety vulnerability and hazard assessments of all school facilities, school grounds, sports-related equipment and vehicles used to transport students. Security and vulnerability assessments shall be conducted every two years, resulting in a school safety plan for each school, based upon the assessment results.
2. Safe practices by school personnel and students – particularly in instructional areas or in extracurricular activities presenting special hazards.
3. Development of school programs and activities consistent with appropriate abilities and limitations of students at each age level.
4. Offering safety education to students germane to particular subjects, such as laboratory courses in science, industrial arts, and health and physical education.
5. Appropriate first aid care for students in case of accident or sudden illness.
6. Adequacy of emergency response procedures at each school in the District (first aid, cardiopulmonary resuscitation, infection control security).
7. Development, adoption and implementation of a code of conduct and other appropriate rules that are designed to promote health and safety and prevent unintended injury, harassment, bullying and other forms of violence. Such code shall prohibit the use and possession of alcohol, tobacco and other drugs and weapons and dangerous instruments at school.

8. Training exercises for all school staff designed to help them maintain a positive climate for learning and to effectively enforce safety and discipline rules.

9. Requiring the District and its individual schools to have safety and security plans which serve as a guide to address the various safety needs in the school, such as lockdown procedures, evacuations, drills and safety protocols, and personnel assignments. The school security and safety plan for each of the District's schools shall annually be submitted to the Department of Emergency Services and Public Protection.

10. Conducting regular audits (at least annually) to evaluate and analyze the effectiveness of each school's safety and security plans. First responders, local law enforcement and the entire school community shall be involved in this process. Law enforcement and local public safety officials shall evaluate all fire and crisis response drills.

11. Communicating with parents/guardians and community members about school-level emergency preparedness protocols to the greatest extent possible.

12. Providing regular training for all school employees on the Districts' school emergency management systems and protocols, as well as violence prevention training.

13. Creating a partnership between schools, local law enforcement and appropriate community agencies, including mental health, to prevent and reduce school violence.

14. Establishing a school security and safety committee at each school. Such committee shall be responsible for assisting in the development of the school's security and safety plan and administering such plan.

15. Assistance of the safe school climate committee at each school, originally established to address issues related to bullying in the school, to also collect, evaluate, and report information relating to instances of disturbing or threatening behavior that may not meet the statutory definition of bullying.

Early Dismissal of Students

No school or grade may be dismissed before the regular hour for dismissal without the approval of the Superintendent of Schools.

(cf. 5113 – Attendance and Excuses)
(cf. 5141.1/5141.2 – Accidents/Illness)

Legal Reference: Connecticut General Statutes

10-16b Prescribed courses of study (re health and safety courses)
10-24 Course in motor vehicle operation and highway safety

10-221 Board of education to prescribe rules
52-577b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render

POLICY ADOPTED: July 9, 2002
REVISED: July 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5142.1P

STUDENTS

RELATIONS WITH NONCUSTODIAL PARENTS

The Board of Education, unless informed otherwise, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a copy of the court order, to the Superintendent, which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the noncustodial parent, upon annual written request, may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, attend public school events, visit the child briefly at school and have an opportunity to conference with the student's teacher(s).

The Board of Education, presumes that the person who enrolls a student in school is the student's custodial parent. Further, the parent with whom the student resides is known as the custodial parent unless a legal document or signed parental agreement indicates otherwise. Verification may be required from the custodial parent.

While both parents can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel encounter conflicting information from a custodial and noncustodial parent, or anticipate a possible student abduction, law enforcement personnel will be notified immediately, and the student will remain on school property pending the arrival of law enforcement officials.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he/she may be contacted at all times. Any legal documents which restrict the rights of the noncustodial parent must be provided by the custodial parent.

Legal Reference: Connecticut General Statutes

46b-15 Act concerning the recommendation of the Speaker of the House of Representatives Task Force on Domestic Violence

10-15b Access of parent or guardian to student's records

46b-56 Access of records of minor children by noncustodial parent

Federal Family Educational Rights and Privacy Act of 1974

Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802 regs. implementing

FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) – parent and student privacy and other rights with respect to educational records

POLICY ADOPTED: July 9, 2002
REVISED: December 14, 2010
REVISED: February 13, 2019

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5143.1P

STUDENTS

STUDENT INSURANCE

Student accident insurance shall be made available for parents/guardians to purchase if they so desire.

POLICY ADOPTED: July 9, 2002
REVISED: June 9, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5144P
STUDENTS

STUDENT DISCIPLINE POLICY

I. Definitions

A. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.

B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

D. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.

G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a

grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "**destructive device**" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

J. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

K. **School Days** shall mean days when school is in session for students.

L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

M. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

O. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an

automatic spring release devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

P. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

A. ***Conduct on School Grounds or at a School-Sponsored Activity:***

The Board of Education may expel any student in grades 3-12 whose conduct on school grounds or at a school-sponsored activity endangers persons or property, violates a publicized policy of the Board ***and*** is seriously disruptive of the educational process.

B. ***Conduct off School Grounds:***

1. Students may be disciplined for conduct off school grounds if such conduct **is seriously disruptive of the educational process and violative of a publicized policy of the Board**. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) **whether the incident occurred within close proximity of a school**; (2) **whether other students from the school were involved or whether there was any gang involvement**; (3) **whether the conduct involved violence, threats of violence, or the unlawful use of a weapon**, as defined in Section Conn. Gen. Stat. § 29-38, and **whether any injuries occurred**; and (4) **whether the conduct involved the use of alcohol**.

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider **whether such off-campus conduct involved the illegal use of drugs**.

III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy) includes conduct on school grounds or at a school-sponsored activity (including on a school

bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.

2. Theft.

3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.

5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.

6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, ancestry, gender identity or expression or any other characteristic protected by law.

7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.

9. A walk-out from or sit-in within a classroom or school building or school grounds.

10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).

11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.

12. Possession of any ammunition for any weapon described above in paragraph 11.

13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.

14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.

15. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine, that is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.

17. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach

clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.

19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

20. Trespassing on school grounds while on out-of-school suspension or expulsion.

21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.

23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.

24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.

25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.

26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.

27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.

29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.

31. Hazing.

32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:

    a. causes physical or emotional harm to such student or damage to such student's property;

    b. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

    c. creates a hostile environment at school for such student;

    d. infringes on the rights of such student at school; or

    e. substantially disrupts the education process or the orderly operation of a school.

Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.

35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.

36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.

37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.

39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship

40. Any action prohibited by any Federal or State law.

41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

A. A principal may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.

B. A principal must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:

1. was in **possession on school grounds** or at a **school-sponsored activity** of a **deadly weapon**, **dangerous instrument**, **martial arts weapon**, or **firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or

2. **off school grounds**, **possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon**, a **dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or

3. was engaged **on or off school grounds** in **offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)),

whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms "**dangerous instrument**," "**deadly weapon**," **electronic defense weapon**," "**firearm**," and "**martial arts weapon**," are defined above in Section I.

C. In any preschool program provided by the Board of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board of Education, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board of Education in accordance with Section VIII of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds or at a preschool program-sponsored event. The term **"firearm"** is defined above in Section I.

D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. <u>Procedures Governing Removal from Class</u>

A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.

B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:

a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that he or should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (*A*) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (*B*) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or

b. in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.

4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.

5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.

6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.

7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.

8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.

9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.

11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.

12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.

B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.

D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. ***Emergency Exception:***

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233*l*, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-

180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. ***Hearing Panel:***

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. ***Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before such hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:

   a. The date, time, place and nature of the hearing.

   b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.

   c. A short, plain description of the conduct alleged by the Administration.

   d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.

   e. The student may cross-examine witnesses called by the Administration.

   f. The student may be represented by an attorney or other advocate of his/her choice at his/her expense or at the expense of his/her parent(s) or guardian(s).

g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.

h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).

i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and concerning about free or reduced-rate legal services and how to access such services.

j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. ***Hearing Procedures:***

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.

2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.

5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.

6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.

7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.

8. The student shall not be compelled to testify at the hearing.

9. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.

11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.

12. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.

13. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.

14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing

the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.

15. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

17. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. ***Presence on School Grounds and Participation in School-Sponsored Activities During Expulsion:***

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

F. ***Stipulated Agreements:***

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal

guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students

A. For the purposes of this Section, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education.

B. ***Students under sixteen (16) years of age:***

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

C. ***Students sixteen (16) to eighteen (18) years of age:***

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent time.
3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

D. ***Students eighteen (18) years of age or older****:*

The Board of Education is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

E. ***Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):***

Notwithstanding Sections IX.B. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

F. ***Students for whom an alternative educational opportunity is not required:***

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required by law as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct

and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

If the student has not previously been suspended or expelled, and the Administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings

A. ***Student moving into the school district:***

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.

2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. ***Student moving out of the school district:***

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA")

A. ***Suspension of IDEA students:***

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The Administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.

2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. ***Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:***

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or- by mail (unless other means of transmission have been arranged).

2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.

3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.

4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.

6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his or her designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. ***Removal of Special Education Students for Certain Offenses:***

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

   a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or

   b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or

   c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

2. The following definitions shall be used for this subsection XII.C.:

   a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.

b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in Section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).

c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 ("Section 504")

A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.

2. The district shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.

3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet*

to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

XIV. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center

A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The Board of Education shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Documentation and Reporting Requirements

A. The Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).

B. The Board of Education shall report all suspensions and expulsions to the State Department of Education.

C. If the Board of Education expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the Board shall refer

such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

D. If the Board of Education expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the Board shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

Public Act 17-237, An Act Concerning Education Mandate Relief

Public Act 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee

§§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
§ 10-222d Safe school climate plans. Definitions. Safe school climate assessments
§§ 10-233a through 10-233f Suspension and expulsion of students.
§ 10-233/ Expulsion and suspension of children in preschool programs
§ 19a-342a Use of electronic nicotine delivery system or vapor product prohibited
§§ 21a-408a through 408p Palliative Use of Marijuana
§ 29-38 Weapons in vehicles
§ 53a-3 Definitions
§ 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors
§ 53-206 Carrying of dangerous weapons prohibited.

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998).
State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006).
State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).
18 U.S.C. § 921 (definition of "firearm")
18 U.S.C. § 930(g)(2) (definition of "dangerous weapon")
18 U.S.C. § 1365(h)(3) (identifying "serious bodily injury")
21 U.S.C. § 812(c) (identifying "controlled substances")
34 C.F.R. § 300.530 (defining "illegal drugs")
Gun-Free Schools Act, 20 U.S.C. § 7961

Honig v. Doe, 484 U.S. 305 (1988)

POLICY ADOPTED:	April 9, 2002
REVISION:	May 10, 2005
REVISION:	May 9, 2006
REVISION:	April 8, 2008
REVISION:	June 10, 2008
REVISION:	October 13, 2009
REVISION:	June 8, 2010
REVISION:	September 28, 2010
REVISION:	May 10, 2011
REVISION:	June 9, 2015
REVISION:	December 8, 2015 (Replaces policy 5144)
REVISION:	March 14, 2018
REVISION:	November 13, 2018
REVISION:	January 14, 2020

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Colchester Public Schools
127 Norwich Avenue, Suite 202
Colchester, CT 06415

Jeffrey E. Burt **Phone (860) 537-7208**
Superintendent of Schools
jburt@colchesterct.org

(*Date)*

CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL

(Parent)[1]
(Parent's Address)

(Non-custodial Parent, if applicable)
(Parent's Address)

Re: Expulsion Hearing Concerning Student Name; d.o.b.

Dear ***(Parent/Guardian)***:

In accordance with the Colchester Board of Education Policy 5144, Student Discipline, I am writing to advise you that the Colchester Board of Education (the "Board") will hold a formal hearing concerning your ***(son/daughter), (Name of Student)*** to consider the recommendation of Administration that ***(he/she)*** be expelled from school. [***In cases where the district uses a hearing officer, add the following: Please be advised that the Board has appointed Attorney [Name], to serve as an impartial hearing officer in this matter.]*** This hearing is being held pursuant to Section 10-233d ***[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233l]***and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the Colchester Board of Education Policy 5144, Student Discipline, a copy of which is enclosed. The Board ***(OR the hearing officer)*** intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your (***son/daughter)*** violated Board Policy 5144, Student Discipline, on ***date)***, by engaging in the following conduct:

[1] If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s).

(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.

Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).

(State whether you considered such conduct to endanger persons or to be seriously disruptive of the educational process).

(If the student has admitted to this conduct, note the admission here).

The hearing has been scheduled for (***date, time, place)*** ***[note: unless an emergency exists, the this notice must be given to the student/parent/guardian at least five (5) business days before the hearing]).*** You and your (***son/daughter)*** are asked to attend this hearing. Your (***son/daughter)*** has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine Administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board may also question witnesses. An opportunity will also be given for the Administration and your (***son/daughter)*** or his/her representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The Administration may recommend expulsion from school for up to one calendar year. The Board ***(OR the hearing officer)*** has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your **(son/daughter)** has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your (***son/daughter)*** is expelled as a result of the scheduled hearing, and your (***son/daughter)*** is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity, during any period of exclusion from school as determined by the Administration in accordance with applicable law. If your **(son/daughter)** is between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your (***son/daughter)*** an alternative educational opportunity if she/he wishes to continue her/his education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled, or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at (***number)***.

Sincerely,

(Name of Superintendent)
(Name of District) Public Schools

Cc: ***(Name of District)***, Chairman, ***(Name of District)*** Board of Education
(Name of Special Education director)
(Name of Principal at school that student attends)
(Name of Board of Education Attorney, where applicable)
(Name of Administration's Attorney, where applicable)

AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from _____ School:

1. NAME OF STUDENT (D.O.B. _____) is currently enrolled as a _____ grade student at _____ School.

2. NAME OF STUDENT admits that he/she engaged in the following conduct *(insert a short, plain statement of the conduct)* on or about _____, 20__.

3. NAME OF STUDENT's conduct, as described above, violates _____ Board of Education Policy _____ (Student Discipline). *(Cite other policies here as appropriate). (State whether such conduct is considered to endanger persons or to be seriously disruptive of the educational process). (If the student has admitted to this conduct, note the admission here).*

4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.

(Optional Section for students with disabilities):

5. A manifestation determination was made on *(date)* concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.

6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.

7. Subject to the approval of the _____ Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective _____, 20__ and

continuing through _____, 20____, under the following conditions:

a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration in accordance with applicable law.

b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds and will not be permitted to attend or participate in any school-sponsored activities, unless specific permission is granted in advance by the Superintendent of Schools.

(Optional Sections regarding early readmission):

c) Prior to _____, the Superintendent will review NAME OF STUDENT's conduct, as well as his/her attendance and effort level in the alternative educational program, for the purpose of determining, in the Superintendent's sole discretion, whether NAME OF STUDENT should be readmitted to school on or about _____.

d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT's expulsion for the remainder of the expulsion period, through *(date)*, without the need for any further proceedings before the Board.

(Optional Section for expungement if the expulsion is the student's first expulsion):

e) Prior to *(date)*, the Superintendent will review NAME OF STUDENT's conduct, as well as his/her attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent's sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from his/her educational record as of *(date)*.

8. All parties to this Agreement request that this Agreement be presented to the Board for the Board's consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or his/her parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.

9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the _____ Board of Education to contest NAME OF STUDENT's proposed expulsion from the _____ Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such

hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT's right to an expulsion hearing pursuant to Section 10-233d of the Connecticut General Statutes.

10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreeable date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent's expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board's consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.

11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

_____ Date:_____
NAME OF SUPERINTENDENT
Superintendent of Schools

_____ Date:_____
NAME OF STUDENT
Student

_____ Date:_____
NAME OF PARENT/GUARDIAN
OF STUDENT

_____ Date:_____
NAME OF PARENT/GUARDIAN
OF STUDENT

Colchester Public Schools

5144.1P

STUDENTS

PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF EXCLUSIONARY TIME OUT

The Colchester Board of Education seeks to foster a safe and positive learning environment for all students. Board of Education employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with this policy and accompanying administrative regulations and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. The Board also regulates the use of exclusionary time out in accordance with this Policy and accompanying regulations and applicable law.

The Board of Education authorizes the Superintendent or his/her designee to develop and implement Administrative Regulations in accordance with this Policy and applicable law. The Board of Education mandates compliance with this Policy and the associated Administrative Regulations at all times. Violations of this Policy and/or associated Administrative Regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220. Under no circumstances shall employees or individuals under the supervision of the Board use corporal punishment with students or physically manage students for purposes of discipline.

Legal References:

Public Act 18, 51, An Act Implementing the Recommendations of the Department of Education

Conn. Gen. Stat. § 10-76b

Conn. Gen. Stat. § 10-76d

Conn. Gen. Stat. § 10-236b

Conn. Gen. Stat. §§ 53a-18 to 53a-22

Reg. Conn. State Agencies §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

ADOPTED: January 12, 2012
POLICY REVISED: February 17, 2016 **(Replaces Policy #5144.1)**
POLICY REVISED: February 13, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5144.1R

STUDENTS

ADMINISTRATIVE REGULATIONS CONCERNING PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF EXCLUSIONARY TIME OUT

The Colchester Public Schools (the "District") seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. District employees will restrict the use of exclusionary time out with students to those instances permitted by applicable law, as described in these administrative regulations and applicable law.

The following sets forth the procedures for compliance with the relevant state law and regulations concerning the physical restraint and seclusion of, and use of exclusionary time out with, students in the District. The Superintendent mandates compliance with these regulations at all times. Violations of these regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the responsibility of the District to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

I. Definitions:

A. **Exclusionary Time Out:** A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

B. **Life Threatening Physical Restraint:** Any physical restraint or hold of a person that (1) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the

free movement of a person's arms, legs or head while the person is in the prone position.

C. **Psychopharmacological Agent:** Any medication that affects the central nervous system, influencing thinking, emotion or behavior;

D. **Physical Restraint:** Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program ("IEP"); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

E. **School Employee:** (1) Any individual employed by the Colchester Public Schools who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Colchester Public Schools pursuant to a contract with the Colchester Public Schools.

F. **Seclusion:** The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.

G. **Student**: a child who is

1. Enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;

2. Receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;

3. Enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR

4. Receiving special education and related services from an approved private special education program.

II. Life-Threatening Physical Restraint

A No school employee shall under any circumstance use a life-threatening physical restraint on a student.

B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.

III. Procedures for Physical Restraint and Seclusion of Students

A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.

C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's trainings plans as described in Section X below, upon implementation thereof.

D. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.

E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.

F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.

G. Monitoring

1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:

a. direct observation of the student; or

b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by either:

a. direct observation of the student; or

b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

H. Length

1. Any period of physical restraint or seclusion:

a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and

b. shall not exceed fifteen (15) minutes, except as provided below.

2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued

physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:

a. an administrator, or such administrator's designee;

b. a school health or mental health personnel; or

c. a board certified behavior analyst.

3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

I . A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

IV. Seclusion Room Requirements

Seclusion can happen in any location, although a district may designate an area or room for this purpose. Regardless of location, any room used for seclusion must:

A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;

B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

D. be free of any object that poses a danger to the student who is being placed in the seclusion room;

E. conform to applicable building code requirements.

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An "emergency," for purposes of this subsection, includes but is not limited to the following:

1. the need to provide direct and immediate medical attention to the student;

2. fire;

3. the need to remove the student to a safe location during a building lockdown; or

4. other critical situations that may require immediate removal of the student from seclusion to a safe location.

F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:

1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or

2. as an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.

B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy.

VI. Procedures for Exclusionary Time Out

A. No school employee may use exclusionary time out as a form of discipline for a student.

B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.

C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.

D. The exclusionary time period must end as soon as possible.

E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

VII. Required Meetings

A. Students <u>not</u> eligible for special education (and not being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, a team composed of an administrator, one or more of the student's

teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:

a. conduct or revise a behavioral assessment of the student;

b. create or revise any applicable behavior intervention plan; and

c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.

2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.

B. Students eligible for special education (and students being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, the student's PPT shall convene to:
   a. conduct or revise a functional behavioral assessment ("FBA");
   b. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and
   c. review or revise the student's IEP, as appropriate.

2. In the event that the exclusionary time out process is unsuccessful in addressing a student's problematic behavior, the student's PPT shall convene as soon as practicable to determine alternative interventions or strategies to address the student's behavior.

C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

VIII. Crisis Intervention Team

A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.

B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

C. The District shall maintain a list of the members of the crisis intervention team for each school.

IX. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the Colchester Public Schools for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:

1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND

5. whether the seclusion of a student was conducted pursuant to an IEP.

B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.

1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.

2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.

3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

4. The Director of Special Education shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.

C. The Director of Special Education, or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.

1. The Director of Special Education, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights

regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

D. The Director of Special Education, or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a student;

2. the nature of the emergency that necessitated its use;

3. whether the seclusion of a student was conducted pursuant to an IEP; AND

4. if the physical restraint or seclusion resulted in physical injury to the student.

X. Responsibilities of the Director of Special Education

A. The Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conduct pursuant to IEPs.

B. The Director of Special Education, or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.

XI. Professional Development Plan and Training

A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school

paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:

1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.

2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.

3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

    a. verbal defusing or de-escalation;

    b. prevention strategies;

    c. various types of physical restraint;

    d. the differences between life-threatening physical restraint and other varying levels of physical restraint;

    e. the differences between permissible physical restraint and pain compliance techniques;

    f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and

    g. recording and reporting procedures on the use of physical restraint and seclusion.

    This plan shall be implemented not later than July 1, 2018.

B. Each member of a crisis intervention team must be recertified in the use of physical restraint and seclusion pursuant to Section XI.A.3, above, on an annual basis.

XII. Review and Revision of Policies, Regulations and Procedures

A. The District shall make available policies and procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out on the District's Internet web site and procedures manual.

B. The District shall update any policies, regulations and/or procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out within sixty (60) days after the State Department of Education's adoption or revision of regulations regarding the same. Any and all such updates shall be made available in accordance with subsection A of this section.

Legal References:

Public Act 18, 51, An Act Implementing the Recommendations of the Department of Education

Conn. Gen. Stat. § 10-76b

Conn. Gen. Stat. § 10-76d

Conn. Gen. Stat. § 10-236b

Conn. Gen. Stat. §§ 53a-18 to 53a-22

Conn. Agencies Reg. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

ADOPTED: January 12, 2012
REVISED: February 17, 2016 (Replaces Regulation #5144.1)
REVISED: February 13, 2019

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5144.4P

STUDENTS

PHYSICAL EXERCISE AND DISCIPLINE OF STUDENTS

The Board of Education (Board) recognizes that a positive approach toward exercise and physical activity is important to the health and well-being of students. The Board requires that each student in elementary school shall have not less than twenty minutes daily in total devoted to physical exercise, except that a Planning and Placement Team may alter such schedule for a child requiring special education and related services. Further, the Board permits, in its elementary schools, including an additional amount of time, beyond the required twenty minutes for physical exercise, devoted to undirected play during the regular school day, subject to the approval of the building administration.

All aspects of the school experience should encourage students to have a healthy attitude toward exercise and promote the life-long enjoyment of physical activity. Therefore, when school employees impose disciplinary consequences for student misconduct during the regular day, the following restrictions shall apply:

1. Loss of Recess as Disciplinary Consequence

Except as provided below, school employees may NOT prevent a student in elementary school from participating in the entire time devoted to physical exercise or undirected play in the regular school day as a form of discipline. Recess and other physically active learning opportunities may include movement-oriented learning activities in the academic environment, physical activity breaks, and regularly scheduled school wide routines and events that engage students in physical activity that is the time devoted each day (at least 20 minutes) to physical exercise in the District's elementary schools.

Loss of recess or other physically active learning opportunities as a form of discipline may be permitted on a case-by-case basis if approved in writing by the building administration prior to the imposition of the discipline. Such approval may be granted for safety reasons, as a last resort before in-school suspension, or in extraordinary situations when alternative strategies to address student misconduct have been ineffective.

This restriction shall not apply to students who are receiving in-school suspension.

2. Physical Activity as Punishment

School employees may NOT require students enrolled in grades K-12, inclusive, to engage in physical activity as a form of discipline during the school day.

3. Wellness Instruction

School employees shall not prevent students from participating in physical exercise or undirected play during wellness instruction as a form of discipline.

This restriction does not apply to brief periods of respite/time-outs, referrals to the building administrator, or for safety reasons.

At no time shall an entire class be prevented from participating in wellness instruction or physical exercise activity as a disciplinary consequence.

The Superintendent of Schools is authorized to develop guidelines to implement this policy. Nothing in this policy shall prevent a school employee from acting in accordance with an Individualized Education Plan (IEP) developed by the student's Planning and Placement Team (PPT).

For the purpose of this policy, “school employee” means a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to, or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.

Any employee who fails to comply with this policy will be subject to discipline, up to and including termination of employment. Any contracted individual who provides services to or on behalf of District students and who fails to comply with the requirements of this policy may be subject to having his/her contract for services suspended by the District.
(cf. 6142.101 – Wellness)

Legal Reference: Connecticut General Statutes
10-221o Lunch periods. Recess (as amended by P.A. 12-116, An Act Concerning Educational Reform, P.A. 13-173, An Act Concerning Childhood Obesity and Physical Exercise in Schools and P.A. 19-173 An Act Concerning the Improvement of Child Development Through Play)
10-221u Boards to adopt policies addressing the use of physical activity as discipline. (as amended by PA 18-15)

POLICY ADOPTED: January 14, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5145P
STUDENTS

STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990 - POLICY

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA ("collectively, "Section 504/ADA"), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Colchester Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Colchester Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district's obligation includes providing access to a free appropriate public education ("FAPE") for students determined to be eligible under Section 504/ADA. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board's Administrative Regulations Regarding Students and Section 504 of Rehabilitation

Act of 1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact the Director of Pupil Services and Special Education, the Section 504/ADA Coordinator for the Colchester Public Schools, at phone number 860-537-3103.

Legal References:

29 U.S.C. §§ 705, 794
34 C.F.R. Part 104
42 U.S.C. § 12101 et seq.
28 C.F.R. Part 35

Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, Office for Civil Rights (March 17, 2011), available at http://www.ed.gov/about/offices/list/ocr/504faq.html

Dear Colleague Letter, United States Department of Education, Office for Civil Rights (January 19, 2012)

ADOPTED:	April 8, 2008
REVISION:	May 14, 2013
REVISION:	June 9, 2015
REVISION:	October 13, 2016
REVISION/ADOPTED:	October 9, 2018

271544v32

STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990 - ADMINISTRATIVE REGULATIONS

Colchester Board of Education Section 504/ADA Grievance/Complaint

Procedures Regarding Discrimination Against Students on the Basis of Disability

Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") (collectively, "Section 504/ADA") prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, the term "disability" with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free appropriate public education (FAPE): for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

Mitigating Measures: include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned

behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

Physical or Mental Impairment: (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine or (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis of Disability

A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability may submit a written complaint to the district's designated Section 504/ADA Coordinator within thirty (30) school days of the alleged occurrence. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. If the complaint is made verbally, the individual taking the complaint will reduce it to writing.

B. At any time, when a complaint involves discrimination that is directly related to a claim regarding the identification, evaluation or educational placement of a student under Section 504, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer and request a hearing in accordance with Section III.D. Complaints regarding a student's rights with respect to his/her identification, evaluation or educational placement shall be addressed in accordance with the procedures set forth below in Section III.

C. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting or complaint of disability-based discrimination or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary actions to prevent retaliation as a result of filing a complaint **or the participation in an investigation of a complaint**.

D. If the Section 504/ADA Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures.

E. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

F. The complaint should contain the following information:

1. The name of the complainant;
2. The date of the complaint;
3. The date(s) of the alleged discrimination;
4. The names of any witnesses or individuals relevant the complaint;
5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. The remedy requested.

However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

G. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the Superintendent of Schools;

2. Meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes have relevant information, and obtain any relevant documents the complainant may have;

3. Provide the complainant with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;

4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;

5. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;

6. Communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator or Superintendent. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504/ADA;

7. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.

9. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.

H. If the complainant is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for the complainant to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

Upon review of a written request from the complainant, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant of his/her decision within ten (10) school days following the receipt of the written request for review.

III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student's Identification, Evaluation or Educational Placement

Complaints regarding a student's identification, evaluation or educational placement shall generally be handled using the procedures described below. **However, at any time, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection D (below).**

Drug/Alcohol Violations

If a student with a disability violates the Board's policies relative to the use or possession of illegal drugs or alcohol, the Board may take disciplinary action against such student for his/her illegal use or possession of drugs or alcohol to the same extent that the Board would take disciplinary action against nondisabled students. Such disciplinary action is not subject to the complaint or due process procedures outlined below.

A. Submission of Complaint to Section 504/ADA Coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation and/or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes.

2. The complaint concerning a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;

   b. Name of parent(s);

   c. Address and relevant contact information for parent/complainant;

d. Date of complaint;

e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and

f. Remedy requested.

However, all complaints will be investigated to the extent possible even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

3. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.

4. Upon receipt of the complaint, the Section 504/ADA Coordinator shall:

a. Forward a copy of the complaint to the Superintendent of Schools;

b. Meet with the complainant within ten (10) school days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and other individuals who may have information relevant to the complaint;

c. If, following such a meeting, further investigation is deemed necessary, the Section 504/ADA Coordinator shall promptly investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and

d. Communicate the results of his/her investigation in writing to the complainant and any persons named as parties to the complaint (to the extent permitted by state and federal confidentiality requirements) within fifteen (15) school days

from the date the complaint was received by the Section 504/ADA Coordinator.

e. In the event that that the Section 504/ADA Coordinator has a conflict of interest that prevents him/her from serving in this role, the complaint shall be forwarded to the Superintendent who shall appoint an investigator who does not have a conflict of interest.

B. Review by Superintendent of Schools

1. If the complainant is not satisfied with the findings and/or resolution offered as a result of the Section 504/ADA Coordinator's review, the complainant may present the complaint and the written statement of findings to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for complainants to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

2. The Superintendent shall review the complaint and any relevant documents maintained by the Section 504/ADA Coordinator or other investigator and shall consult with the Section 504/ADA Coordinator or other investigator regarding attempts to resolve the complaint. The Superintendent also shall consult with the complainant. The Superintendent may attempt to resolve the complainant's concerns alone, or with another appropriate administrator.

3. Following the Superintendent's review, he or she shall communicate his/her findings to the complainant within ten (10) school days following his/her receipt of the written request for review.

4. If the complainant is not satisfied with the Superintendent's decision or proposed resolution, he/she may request that the Superintendent submit the matter to a neutral mediator or to an impartial hearing officer. This request for mediation or a hearing should

be made within fifteen (15) school days of the Superintendent's decision. Mediation shall only occur by mutual agreement of the parties.

C. Mediation Procedures:

A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student.

1. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above.

2. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:
   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

3. Upon receipt of a request for mediation, the Section 504/ADA Coordinator shall:

   i. Forward a copy of the request for mediation to the Superintendent of Schools;
   ii. Retain a neutral mediator who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and

the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").

4. The mediator shall inform all parties involved of the date, time and place of the mediation and of the right to have legal counsel or other representation at the complainant's own expense, if desired.

5. The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.

6. All statements, offers, or discussions and/or information shared during the mediation process, but not available from other means, shall be confidential, and may not be used in a subsequent hearing or other administrative or judicial proceeding related to the disagreement that is the subject of the mediation.

7. If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

D. Impartial Hearing Procedures:

An impartial due process hearing is available to a parent/guardian of a student, or a student aged 18 years of age or older who disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student, or otherwise makes a claim of discrimination relating to the identification, evaluation or educational placement of the student.

1. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:
   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of

Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").

3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (or legal counsel for the student) to identify the issue(s) for hearing, set the hearing schedule and address other administrative matters related to the hearing, including the option for mediation.

4. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses, other evidence and to be represented by legal counsel at each party's own expense, if desired.

5. The impartial hearing officer shall hear all aspects of the complainant's complaint concerning the identification, evaluation or educational placement of the student and shall reach a decision within forty-five (45) school days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504/ADA Coordinator.

6. An impartial hearing officer under Section 504 does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is ***directly related*** to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.

7. The time limits noted herein may be extended for good cause shown for reasons including, but not limited to, permitting more time for thorough review of the record, presentation of evidence or opportunity for resolution.

IV. The Section 504/ADA Coordinator for this district is:

Director of Pupil Services and Special Education
215 Halls Hill Road
Colchester, CT 06415
860-537-3103

V. Complaints to Federal Agencies

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111); http://www2.ed.gov/about/offices/list/ocr/docs/howto.html.

ADOPTED:	March 13, 2007
REVISION:	May 14, 2013
REVISION:	June 9, 2015
REVISION:	October 1, 2016/October 13, 2016
REVISION:	September 4, 2018

271544v32

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5145.11P

STUDENTS

QUESTIONING AND APPREHENSION

Student Interviews

Individual students suspected of a serious offense may not be interviewed as part of an investigation by any person except an employee of the Board of Education without the approval of the Principal and notification of the Superintendent of Schools. The Principal shall be present at any interview approved by him/her, and shall notify the parents/guardians if the child is to be interviewed to ask if they wish to be present at the interview.

Legal Reference: Connecticut General Statutes

46b-133 (P.A. 83-504 An Act Concerning the Processing of Children Arrested for Serious Juvenile Offenses)

Policy adopted: July 9, 2002
Revised: December 8, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5145.12P

STUDENTS

SEARCH AND SEIZURE

School administrators have the authority to conduct reasonable searches and seize materials in accordance with this policy for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the Board of Education or school. This policy does not apply to investigations conducted by law enforcement officials or to investigations conducted exclusively for the purpose of criminal prosecution.

Reasonable suspicion that a student has unauthorized or illegal materials is generally required before an individual may be singled out for a search. Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his/her person or personal effects.

1. Search of a Student and His/Her Effects

Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school or the Board of Education." The way the search is conducted should be "reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction."

(a) A "pat down" search of a student's clothing must be conducted in private by a school official of the same sex and with an adult witness present.

2. Search of a Locker, Desk and Other Storage Area

A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age

and sex of the student and the nature of the infraction.

B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

C. When required by law and otherwise at the option of the building Principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building Principal.

D. The decision to search shall be made by the Principal or the Principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Superintendent.

3. Searches of Student Motor Vehicles

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to patrol student parking lots at any time, without notice or consent. The interiors of vehicles on school property may be searched if a school official has reasonable suspicion to believe that illegal, unauthorized or contraband items as defined in Student Discipline Policy #5144, other evidence of a crime or violation of district policy, or items which may be a threat to safety or security are contained inside.

4. Use of Trained Dogs

The District may elect to ask law enforcement officers to use specially trained drug dogs to alert the dog's handler to the presence of controlled substances in school facilities, grounds and parking lots, at the discretion of the Superintendent or designee. The trained drug dogs may sniff lockers, student motor vehicles, and other inanimate objects. Such inspections are not considered searches and do not require notice or consent. Only the trained dog's handler will determine what constitutes an alert by the dog. A drug dog's alert constitutes reasonable suspicion for district officials to search the lockers, personal items or vehicles. Such a search by District officials may be conducted without notice or consent, and without a search warrant.

Dogs may not be used for random searches of students or other persons.

Legal References: Connecticut General Statutes
Section 10221 Boards of Education to prescribe rules

Section 5433n Searches
New Jersey v. T.L.O.; 469 U.S. 325 (1985)

This replaces Policy #5145.121

Policy adopted: March 8, 2011
Policy revised: December 8, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Students

Search and Seizure

Justification for Student Searches

Students possess the right to be free of unreasonable searches and seizures under the fourth amendment of the Constitution of the United States. Balanced against this right is the school officials' responsibility to create and maintain an environment consistent with school's educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items

Students shall not bring to school items or substances which would disrupt the educational function of the school or which are prohibited by school board regulations or by law. Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages and drugs or drug paraphernalia.

Lockers and Other School Property

Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to periodic inspections by school authorities. The purpose of such inspections is not to collect evidence of wrongdoing on the part of a single student, but rather to allow school authorities responsible for the appropriate use of school property the opportunity to confirm that lockers are being used in a manner consistent with the health and safety of all students. Students are therefore warned not to store items which are not consistent with school discipline policy in lockers.

Emergencies

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency.

Student Searches

School authorities are authorized to conduct searches of students or their property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by school board regulations or by law. Student property shall include, but not be limited to, purses, bookbags and cars. School authorities in cooperation with the local police department reserve the right to conduct sniff searches with dogs of school property and student-driven cars.

Police Notification

With regard to possession of items that constitute a violation of law, school authorities will cooperate with the appropriate law enforcement agencies in the interest of preserving the integrity of the school's educational mission.

Students

Search and Seizure

Lockers and Other School Property (Desks)

1. The school principal or his/her designee shall maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.

2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers. Notices of this inspection policy also shall be posted in student handbooks.

3. Students also will be informed of the following locker regulations:

    A. Students are responsible for the contents of the locker assigned to them.

    B. Students are to keep their lockers locked.

    C. Students are not to give other students access to their locker.

4. The exercise of that right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's desk or locker under the following conditions:

    A. There is reason to believe that the students' desk or locker contains contraband material and the presence of said material poses a serious threat to the maintenance of discipline, order, safety or health in the school.

    B. The search of a group of students' desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Prescription Drugs

Students who have a legitimate need for prescription drugs in school should register this information in the nurse's office in accordance with the Administration of Medication to Students Policy.

Lost or Abandoned Items

Lost or abandoned items will be inspected by school authorities.

Student Searches

1. All searches of students shall be conducted or authorized by the principal or designee, in the presence of a witness.

Students

Search and Seizure

Student Searches continued

2. When the need to search a student arises, the student may be asked to give his or her consent to the search, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the school administrator may order the student to submit to a search. If the student refuses to obey the order, the school administrator may bring insubordination charges against the student as stipulated in applicable school regulations.

3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.

4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.

5. Locker searches shall be conducted in the presence of another staff member.

6. Searches may include, if school authorities think necessary, a patdown of student clothing. Patdown searches shall be conducted by a member of the same sex as the student and in the presence of another staff member. A pat-down search of a student's clothing, or a search of a group of students where a particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

7. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school authorities are convinced that a more intrusive search is required to expose contraband they should advise the proper law enforcement agency. "Strip searches" of students are prohibited by employees of this school district.

8. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations.

9. In the event that a student search discloses evidence of criminal wrongdoing, the school principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents must be advised of this fact.

Student Notification

Students shall be informed annually that Board policy allows student search and school desk/locker search.

Students

Search and Seizure

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches.

5145.124P

STUDENTS

USE OF ALCOHOL DETECTION DEVICES

A. Introduction

The Colchester Board of Education is committed to promoting safe and substance-free school sponsored activities and events both on and off school grounds, The Colchester Board of Education adopts this policy for all students enrolled in our schools and their guests who attend school-sponsored events. This policy will cover all school sponsored activities and events where prior notice has been given whether conducted on or off school grounds.

1. No alcoholic or intoxicating beverages of any kind are permitted in any building or at any event or activity authorized by the Board of Education at any time.

2. The consumption of alcoholic or intoxicating beverages immediately prior to or during any school sponsored event or activity on or off school grounds is strictly prohibited by the Board of Education.

Therefore, in order to promote a safe environment for our students and their guests at school sponsored and/or Board authorized activities and events, the school administration and/or designee is authorized to employ the use of both "passive" and/or active alcohol detection devices.

The Superintendent shall work with school administrators to develop a process and timeline to reasonably ensure reliability of the screening instrument used according to manufacturer's guidelines, appropriate training of administrators and designated personnel, student privacy during the taking of the sample and security of the sample once obtained. Results of any breathalyzer testing will be maintained in a confidential manner.

B. Prior Notification

It is the responsibility of the school administration to provide prior notice of the use of alcohol detection devices to the attendees of Board of Education authorized events. Prior notice will include, but is not limited to, notification in the student/parent-guardian handbook, notification at school-wide assemblies,

notification on event specific advertisements and/or tickets, and notification on guest permission forms.

C. Refusal to Screen

Students and/or their guest who refuse to submit to alcohol detection screening at events where prior notice has been given will not be permitted to attend the Board of Education authorized activity. No refunds will be provided to these students or their guests. Parents/Guardians of these students will be contacted and informed of their refusal to screen.

D. Students Testing Positive

Students who test positive for consumption of alcoholic and/or intoxicating beverages will be subject to disciplinary action consistent with the Board's Discipline Policy #5144 and Drugs and Alcohol/Tobacco Policy #5131.6. Their parents/guardians will be immediately called to pick the student up from the school-sponsored event.

E. Breathalyzers During the School Day

Trained school personnel may ask that a student submit to a breathalyzer test during the school day if, after careful evaluation, there is reasonable suspicion that a student may be under the influence of alcohol while in attendance at school. The breathalyzer test will be administered as noted above, with an opportunity for a second test after 10 minutes. If the student tests positive for a second time, their parents will be called and the student will face disciplinary consequences consistent with the Board's Discipline Policy #5144 and Drugs and Alcohol/Tobacco Policy #5131.6.

POLICY ADOPTED: November 9, 2010
REVISED: December 12, 2013
REVISED: February 9, 2021

NSC

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5145.14

STUDENTS

ON-CAMPUS RECRUITMENT

Directory information or class lists of student names and/or addresses shall not be distributed without the consent of the parent or legal guardian of the student or by the student who has attained majority status.

Bacon Academy shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and State Armed Services as are offered to nonmilitary recruiters, recruiters for commercial concerns and recruiters representing institutions of higher education.

Military recruiters or institutions of higher education shall have access to secondary school students' names, addresses, and telephone listings unless a secondary student, or the parent or legal guardian of the student, requests that such information not be released without prior written parental consent. The Colchester Public Schools shall notify parents of the option to make such request and shall comply with any request received. A student eighteen years of age or older, rather than his/her parent/guardian, may request in writing that such information not be released without his/her prior written permission.

The Board shall also provide full access for the recruitment of students by regional vocational technical schools, regional vocational agricultural centers, inter-district magnet schools, charter schools and inter-district student attendance programs, provided such recruitment is not for the purpose of interscholastic athletic competition. The Board shall also post information about these school options on its website.

The school administrator shall make the determination of the location, date, and time of the recruitment meetings. Administration reserves the right to deny such meeting if it is determined that the meeting will interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education at a regularly scheduled meeting by filing a written request with the Superintendent of Schools.

(cf. 5125 – Student Records; Confidentiality)
(cf. 5145.15 Student Directory Information)

Legal Reference: Connecticut General Statutes
1-210 (11) Access to public records. Exempt records.
10-221b Boards of education to establish written uniform policy re treatment of recruiters. (as amended by PA 98-252)
P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001
Section 8025 of Public Law 114-95, "The Every Student Succeeds Act of 2015"

Policy adopted: September 10, 2002
Policy revised: March 11, 2008
Policy revised: March 30, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5145.15P

STUDENTS

STUDENT DIRECTORY INFORMATION

The Colchester Board of Education has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Grade level
- Major Field(s) of study
- Photographic, computer and/or video images
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- Date and place of birth
- Dates of attendance
- The most recent educational agency or institution attended

A student's social security number, in whole or in part, cannot be used for this purpose and is prohibited from designation as directory information. A student ID number or other unique personal identifier that is displayed on a student ID badge may be considered as directory information only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticates the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

In accordance with The Family Educational Rights and Privacy Act (FERPA), a federal law, The Colchester Public Schools may disclose the above-designated 'directory information' without written consent. The primary purpose of directory information is to allow the Colchester Public School District to include this type of information from students' education records in certain school and community publications. Examples include yearbooks, honor rolls or other recognition lists, graduation programs, event programs/playbills, sports activity lists, press release about a school-sponsored student award, accomplishment or activity participation, and the publication of a public drama, band, choral and/or athletic performance on local or cable television or the district website.

Parents/guardians who do not want the Colchester Public Schools to disclose directory information from their child(ren)'s educational records without prior written consent must notify the school principal in writing on an annual basis.

Military recruiters, technical, magnet and charter school officials, and/or institutions of higher learning shall have access to secondary school student names, addresses and telephone listings unless a secondary student or the parent of the students annually requests that such information not be released without written parental/guardian consent. The Superintendent of Schools or his/her designee will notify parents of the option to make such a request and the district shall comply with any request received.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

Legal Reference: Connecticut General Statutes:
1-210 (11) Access to public records. Exempt records
10-221b Boards of education to establish written uniform policy re treatment of recruiters
P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001
P.L. 107-110, "No Child Left Behind Act," Title IX, Sec. 9528
FERPA 34 CFR Sec. 99.31(a)(10) and Sec. 99.36

Policy adopted: January 13, 2009
Policy revised: January 12, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

5145.4P

STUDENTS

NON-DISCRIMINATION POLICY (STUDENTS)

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status, gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "veteran" means any person honorably discharged from, released under honorable conditions from, or released with an other than honorable discharge based on a qualifying condition from active service in the United States Army, Navy, Marine Corps, Coast Guard, Air Force, and Space Force, and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

For the purposes of this policy, "race" is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

For the purposes of this policy, “gender identity or expression” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy Series 5000 #5145.42 and are available online at www.colchesterct.org or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies 5145.5P Sex Discrimination & Sexual Harassment (Students); 5145P Students & Section 504 of the Rehabilitation Act of 1973 & Title ll of the Americans with Disabilities Act of 1990.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd., Hartford, CT 06103-1835
(860) 541-3400 or Connecticut Toll Free Number 1-(800-477-5737)

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination, may contact:

Director of Pupil Services and Special Education
380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Director of Pupil Services and Special Education
380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Director of Pupil Services and Special Education
380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined
Connecticut General Statutes § 10-15c
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut General Statutes § 46a-81a, et seq.
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing a Qualifying Review Board"

ADOPTED: May 8, 2001
REVISION: January 9, 2007
REVISION: April 10, 2007
REVISION: June 8, 2010
REVISION: November 15, 2011
REVISION: June 13, 2017 (Replaces Policies 5145.42)
REVISION: August 14, 2018
REVISION: June 21, 2021
REVISION: November 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Series 5000
5145.4
Students

DISCRIMINATION COMPLAINTS - ADMINISTRATIVE REGULATIONS (STUDENTS)

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy Series 5000 #5145.4 and are available online at **www.colchesterct.org** or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies:

Series 5000 #5145.4 Non-discrimination Policy
Series 5000 #5145.5 Sex Discrimination & Sexual Harassment (Students)
Series 5000 #5145 Students & Section 504 of the Rehabilitation Act of 1973 & Title ll of the Americans with Disabilities Act of 1990

All other complaints by a student or parents/guardians alleging discrimination against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Director of Pupil Services and Special Education, 215 Halls Hill Road, Colchester, CT 06415, or to the building principal or his/her designee.

Colchester Elementary School, 315 Halls Hill Road, Colchester, CT 06415
Jack Jackter Intermediate School, 215 Halls Hill Road, Colchester, CT 06415
William J. Johnston Middle School, 360 Norwich Avenue, Colchester, CT 06415
Bacon Academy, 611 Norwich Avenue, Colchester, CT 06415

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression, he/she should make a written complaint to the Director of Pupil Services and Special Education, 215 Halls Hill Road, Colchester, CT 06415, 860.537.3103, or to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

The complaint should state the:

A. Name of the complainant,

B. Date of the complaint,

C. Date(s) of the alleged harassment/discrimination,

D. Name(s) of the harasser(s) or discriminator(s),

E. Location where such harassment/discrimination occurred,

F. Names of any witness(es) to the harassment/discrimination,

G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and

H. Proposed remedy.

Any student who makes an oral complaint of harassment or discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If a student (or individual acting on behalf

of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should:

1. offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;

2. provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;

3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;

4. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;

5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;

6. communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was

substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

7. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

9. if the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd., Hartford, CT 06103-1835

(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

Director of Pupil Services and Special Education
215 Halls Hill Road, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Director of Pupil Services and Special Education
215 Halls Hill Road, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

Director of Pupil Services and Special Education
215 Halls Hill Road, Colchester, CT 06415, 860.537.3103

ADOPTED: May 8, 2001
REVISION: January 9, 2007
REVISION: April 10, 2007
REVISION: June 8, 2010
REVISION: November 15, 2011
REVISION: June 13, 2017 **(Replaces Policies 5145.42)**
REVISION: August 14, 2018

238849v19

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability (including pregnancy), gender identity or expression, or veteran status)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

_____

Location where such discrimination/harassment occurred _____

_____

Name(s) of any witness(es) to the discrimination/harassment _____

_____

Detailed statement of the circumstances constituting the alleged discrimination or harassment_____

_____

_____

_____

_____

_____

_____

Proposed remedy:_____

_____

Colchester Public Schools

5145.5P

STUDENTS

POLICY REGARDING TITLE IX OF THE EDUCATION AMENDMENTS OF 1972- PROHIBITION OF SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Colchester Board of Education (the "Board") for the Colchester Public Schools ("the District") that any form of sex discrimination or sexual harassment is prohibited in the Board's education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations ("Title IX") and Connecticut law not to discriminate in such a manner. Discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of gender identity or sexual orientation. Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of students, employees and third parties. Any student or employee who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including expulsion or termination, respectively.

For conduct to violate Title IX, the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of Connecticut law or another Board policy.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy and in accordance with Title IX and Connecticut law (the "Administrative Regulations").

Sex discrimination occurs when a person, because of the person's sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (*i.e.*, *quid pro quo)*;

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities; or

(3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Sexual harassment under Connecticut law means conduct in a school setting that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student’s ability to participate in or benefit from a school’s educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment.

Reporting Sex Discrimination or Sexual Harassment

It is the express policy of the Board to encourage victims of sex discrimination and/or sexual harassment to report such claims. Students are encouraged to report complaints of sex discrimination and/or sexual harassment promptly in accordance with the appropriate process set forth in the Administrative Regulations. The Board directs its employees to respond to such complaints in a prompt and equitable manner. The Board further directs its employees to maintain confidentiality to the extent appropriate and not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination and/or sexual harassment. Any such reprisals or retaliation will result in disciplinary action against the retaliator, up to and including expulsion or termination as appropriate.

Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Colchester Public Schools administration (the “Administration”) shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations), which training shall include but need not be limited to, the definitions of sex discrimination and sexual harassment, the scope of the Board’s education program and activity, how to conduct an investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Administration shall make the training materials used to provide these trainings publicly available on the Board’s website. The Administration shall also periodically provide training to all Board employees on the topic of sex discrimination and sexual harassment under Title IX and Connecticut law, which shall include but not be limited to when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to staff, students and parents and legal guardians and make the Policy and the Administrative Regulations available on the Board’s website to promote an environment free of sex discrimination and sexual harassment.

The Board’s Title IX Coordinator is the Director of Pupil Services and Special Education. Any individual may make a report of sex discrimination and/or sexual harassment to any Board

employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

Director of Pupil Services and Special Education
380 Norwich Avenue
Colchester, CT 06415
(860) 537-3103

Any Board employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX Coordinator. Students may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

Students may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.

Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Conn. Gen. Stat. § 10-15c - Discrimination in public schools prohibited.

Policy adopted: March 9, 2021
Revised: November 9, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS) ADMINISTRATIVE REGULATIONS

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Board's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.

2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.

3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.

4. Touching of a sexual nature or telling sexual or dirty jokes.

5. Transmitting or displaying emails or websites of a sexual nature.

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Sexual Violence: Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Complaint Procedure

1. It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.

2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she or his/her parent/legal guardian should make a written complaint to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

3. The complaint should state the:

   A. Name of the complainant,

   B. Date of the complaint,

   C. Date(s) of the alleged harassment/discrimination,

   D. Name(s) of the harasser(s) or discriminator(s),

   E. Location where such harassment/discrimination occurred,

   F. Names of any witness(es) to the harassment/discrimination,

   G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and

   H. Remedy requested.

4. Any student who makes an oral complaint of harassment or sex discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, such as due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.

5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

6. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or his/her designee. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.

7. The Title IX Coordinator or designee shall promptly investigate all complaints of sexual discrimination or sexual harassment against a student, regardless of whether the conduct occurred on or off-school grounds. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.

8. Any student who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the student insists that his/her personally identifiable information not be shared with the alleged perpetrator, the student will be informed that the District's ability to investigate and/or take corrective action may be limited.

9. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:

a) offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;

b) provide the complainant with a copy of the Board's sexual harassment policy and accompanying regulations;

c) consider whether any interim measures may be appropriate to protect the alleged victim, pending the outcome of the investigation;

d) investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;

e) consider whether alleged sex discrimination or sexual harassment has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;

f) communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within sixty (60) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was

substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

g) when sex discrimination or sexual harassment has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent or his/her designee, and take steps to remedy the effects of the sex discrimination or sexual harassment;

10. If the student complainant or alleged perpetrator is dissatisfied with the findings of the investigation, he or she may file a written appeal within thirty (30) calendar days to the Title IX Coordinator, or, if he/she conducted the investigation, to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment or sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant, in writing, within fifteen (15) school days following the receipt of the written request for review.

If a sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Title IX Coordinator, so as to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.

At any time, a complainant alleging sex discrimination or sexual harassment may file a formal complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (TELEPHONE NUMBER (617) 289-0111).

Copies of this regulation will be distributed to all students.

<u>Title IX Coordinator</u>

The Title IX Coordinator for the Colchester Board of Education is: Director of Pupil Services and Special Education located at 215 Halls Hill Road, Colchester, CT, 06415 telephone number 860-537-3103.

ADOPTED/ACCEPTED: October 1, 2016/October 13, 2016

238922v17

COMPLAINT FORM REGARDING SEX DISCRIMINATION

AND SEXUAL HARASSMENT (STUDENTS)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

_____

Location where such discrimination/harassment occurred_____

_____

Name(s) of any witness(es) to the discrimination/harassment _____

_____

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

_____

_____

_____

Remedy requested _____

_____

5145.6P

STUDENTS

STUDENT GRIEVANCE PROCEDURES

The Superintendent of Schools shall develop regulations for hearing student grievances.

Legal Reference: U.S.O.E. Title IX (Final Title IX Regulation Implementing EducationAmendments of 1972 Prohibiting Sex Discrimination in Education, eff. Date 7/21/75 20 U.S.C. @ 1681 et seq.)

Policy adopted: September 10, 2002
Revised: December 8, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

Colchester Public Schools

5156P

STUDENTS

CONDUCTING RESEARCH IN THE SCHOOLS

The Board recognizes the importance of research and surveys as means of improving the instructional program for the district's students and also recognizes the need to monitor and control the amount of time and energy expended by both staff and students on research projects sponsored by agencies and individuals from outside the district. Therefore, external agencies or individuals desiring to conduct research studies or surveys involving either students or staff members during the school day must submit a written prospectus to the Superintendent or his/her designee, for approval prior to initiation of the study. To be approved, all such research proposals or surveys must demonstrate that the projected findings will have value to either the district as a whole or to a unit within the district, and not be unduly disruptive or time consuming of the normal educational process.

Policy adopted: September 10, 2002
Revised: November 10, 2020

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut